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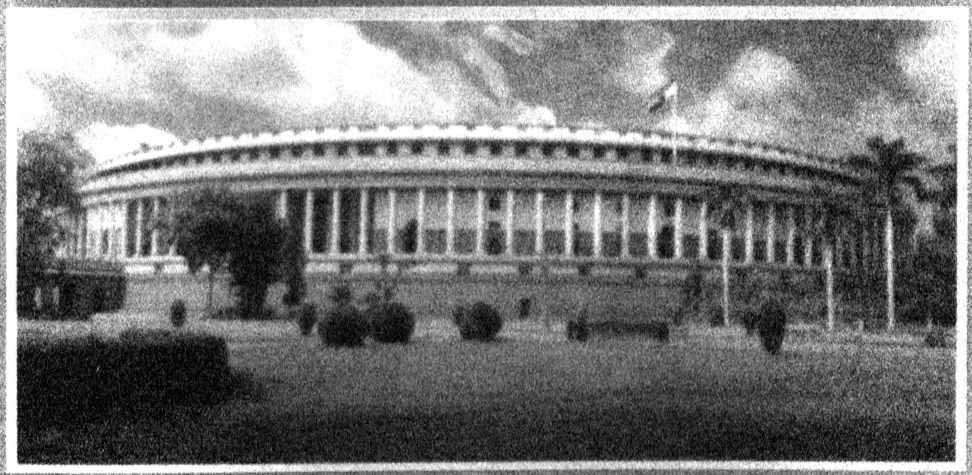

LOK SABHA SECRETARIAT, NEW DELHI

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VOLUME L NO. 2 JUNE 2004

LOK SABHA SECRETARIAT
NEW DELHI

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EDITORIAL NOTE

The Rajya Sabha, the Second Chamber of the Indian Parliament, symbolises the federal character of our polity. Functioning within the parameters established by the Constitution, the Rajya Sabha, during the past fifty years, has emerged as a House of Parliament with a proven record of performance immensely contributing in the consolidation of democracy, in ensuring Executive accountability to the Parliament and in giving voice to the concerns and hopes of our people. In sum, the Rajya Sabha has been rendering yeoman's service to the nation and living up to the expectations of the founding fathers of our Republic.

The Rajya Sabha celebrated its 200th Session from 11 December 2003 to 17 December 2003. To mark the occasion, a function was held in the Central Hall of Parliament House on 11 December 2003. The function commenced with the playing of the National Anthem. Subsequently, the Vice-President and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat, inaugurated the webcasting of the Rajya Sabha proceedings and later addressed the distinguished gathering. The Speaker, Lok Sabha, Shri Manohar Joshi released a CD of a video film on the evolution of the Rajya Sabha over the years and also addressed the gathering. A Commemorative Postage Stamp was released by the Prime Minister, Shri Atal Bihari Vajpayee, who subsequently addressed the distinguished assemblage. Thereafter, the President, Dr. A.P.J. Abdul Kalam, honoured the Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla, and those senior members and former members who have had attended more than one hundred Sessions of the Rajya Sabha. Later, the President addressed the august gathering.

An Exhibition on 'Rajya Sabha' was inaugurated by the Vice-President and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat, in the Parliament House Annexe on 12 December 2003. A Seminar on the 'Role and Relevance of Rajya Sabha in Indian Polity' was also inaugurated by the Vice-President and Chairman, Rajya Sabha, on 14 December 2003. On this occasion, publications titled *Socio-economic Profile of Members of Rajya Sabha (1952-2002); Private Members' Legislation; Women Members of Rajya Sabha;* and *Humour in the House: A Glimpse into the Enlivening Moods of Rajya Sabha* were brought out by the Rajya Sabha Secretariat.

We reproduce in this issue of the *Journal* the texts of the Addresses delivered by the dignitaries at the function to mark the 200th Session of the Rajya Sabha held in the Central Hall on 11 December 2003.

We also carry in this issue the other regular features, *viz.* Parliamentary Events and Activities, Privilege Issues, Parliamentary and Constitutional Developments, Documents of Constitutional and Parliamentary Interest, Sessional Review, Recent Literature of Parliamentary Interest and Appendices.

It has been our constant endeavour to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We also welcome practice and problem-oriented, non-partisan articles in the field of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and others interested in the field of parliamentary political science.

—G.C. Malhotra
Editor

ADDRESSES AT THE FUNCTION TO MARK THE 200TH SESSION OF THE RAJYA SABHA

A function to mark the 200th Session of the Rajya Sabha was held in the Central Hall of Parliament House on 11 December 2003. The President of India, Dr. A.P.J. Abdul Kalam; the Vice-President and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat; the Prime Minister, Shri Atal Bihari Vajpayee; the Speaker, Lok Sabha, Shri Manohar Joshi; and the Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla, addressed the distinguished gathering.

During the course of the function, the President, Dr. A.P.J. Abdul Kalam honoured the Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla, and those senior members and former members who have attended more than one hundred Sessions of the Rajya Sabha. The Vice-President and Chairman, Rajya Sabha; Shri Bhairon Singh Shekhawat, inaugurated the webcasting of the Rajya Sabha proceedings. The Prime Minister, Shri Atal Bihari Vajpayee released a special Commemorative Postage Stamp and the Speaker, Lok Sabha, Shri Manohar Joshi released a CD of a video film on the evolution of the Rajya Sabha over the years. On 12 December 2003, the Vice-President and Chairman Rajya Sabha inaugurated an Exhibition on Rajya Sabha in the Parliament House Annexe. On 14 December 2003, four publications titled *Socio-economic Profile of Members of Rajya Sabha (1952-2002); Private Members' Legislation; Women Members of Rajya Sabha;* and *Humour in the House: A Glimpse into the Enlivening Moods of Rajya Sabha* brought out by the Rajya Sabha Secretariat to mark the occasion were released by the Vice-President of India and Chairman, Rajya Sabha and Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla. Later in the day, a Seminar on the 'Role and Relevance of Rajya Sabha in Indian Polity' was also inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri Shekhawat in the Parliament House Annexe.

We reproduce below the texts of the Addresses delivered at the function on 11 December 2003.

—Editor

ADDRESS BY THE DEPUTY CHAIRPERSON, RAJYA SABHA, DR. (SMT.) NAJMA HEPTULLA

Honourable Rashtrapati ji, Honourable Chairman, Rajya Sabha, Honourable Prime Minister, Honourable Speaker, Lok Sabha, Honourable Leader of the House in Rajya Sabha, Shri Jaswant Singh ji, Leader of Opposition in Rajya Sabha, Dr. Manmohan Singh ji, Distinguished Ministers, Leaders of the Parties, Honourable Members of Parliament, Excellencies,

Ambassadors and High Commissioners, Secretary-General of Rajya Sabha and Secretary-General of Lok Sabha, Friends from the Media, Ladies and Gentlemen:

Today is the occasion of great historic importance. Standing here in this Central Hall where the founding fathers of our Constitution laid the framework of democratic governance, I, on behalf of the Rajya Sabha, take the privilege of expressing our gratitude for making this inaugural function of the 200th Session of the Rajya Sabha a success.

As the verse of *Mahabharat* goes:

That's not an Assembly where there
are no eldermen,
Those are not elders, who do not speak
with righteousness,
That's no righteousness where there is
no truth,
That's not the truth which leads one to
deceit.

Referred to as the House of Elders, the Rajya Sabha has provided a seasoned political leadership to the country. Ever since its First Session in May 1952, the Rajya Sabha has been an equal partner in strengthening the glorious traditions of our parliamentary democracy.

The emergence of bicameral legislatures has been a significant evolution in parliamentary democracies. Today, we have about seventy-five bicameral Parliaments. Bicameral system gives the opportunity to experiment with newer electoral system and new electoral colleges. It helps in broadening the base of parliamentary institutions by involving those sections, which may otherwise remain unrepresented.

The Second Chamber also acts as a safety valve against any error of judgment. In fact, the two Chambers are complementary in scrutinizing any legislation.

In most of the Parliaments, the Second Chamber is a permanent one to provide the continuity to elected institutions.

Constitutionally, our Parliament means the two Houses and the President of our Republic. The Rajya Sabha and the Lok Sabha together represent continuity with change in parliamentary democracy.

Today, on this historic occasion, we are honoured by your gracious presence, Honourable President, Sir. You are the custodian of our Constitution. All the legislations become the law only after your assent.

Your address to the joint Session every year elaborates the vision and mission before the nation. Deliberation on the Address is the very first on the agenda before the Parliament. Over the years, presiding over the House, I have found them to be the most enriching and educating debates.

Sir, some of your illustrious predecessors have also adorned the Chair of the Rajya Sabha and I have had the honour of working with most of them. We take pride in this tradition.

The Rajya Sabha has the singular privilege of having your distinguished nominees as its members who have enriched the debates with their expertise.

Today, on behalf of the Rajya Sabha, I thank you for gracing this significant occasion and once again giving us the benefit of your vision.

Honourable Chairman *Sahab,* we are thankful for your kind support and guidance in convening this momentous occasion. You have been associated with the democratic institutions for more than five decades since 1952. You were also a member of the Rajya Sabha. Sir, in fact, the Rajya Sabha is just as old as your public life. Today, under your leadership we are assembled here. The occasion reaffirms the role and relevance of the Rajya Sabha in strengthening parliamentary democracy.

Honourable Prime Minister, in your long and illustrious career as a parliamentarian, you have twice been a member of the Rajya Sabha. I still remember your kind and encouraging words when I became the Deputy Chairman of the Rajya Sabha. Sir, your contributions are a valuable part of the archives of this House. A seasoned and senior parliamentarian, you have been a witness to the gradual maturing of our parliamentary traditions. As the House of Elders, the Rajya Sabha will always welcome you in our midst.

The distinguished presence of Honourable Speaker *Sahab* is an emphatic affirmation of the close complementarity between the two Houses of our Parliament. I thank you for your gracious presence with us today.

Personally, for me the years in the Rajya Sabha have been the most educative and gratifying experience. I am grateful for the felicitations. The occasion reminds me of some of the doyens with whom I had the opportunity to work in the Rajya Sabha. Some of them are not with us today. Late Shri Bhupesh Gupta, Shri Piloo Mody, Dr. Malcolm Adiseshiah and others. They contributed to make the Rajya Sabha into a celebrated institution of debate and discourse. The Rajya Sabha bears their legacy.

This House has given three Prime Ministers to the country, Smt. Indira Gandhi, when she first became the Prime Minister, was a member of the Rajya Sabha, Shri H.D. Deve Gowda and Shri I.K. Gujral too were members of this House.

In the past twenty years, I have seen the gradual change in the composition of the House. Atalji is the eighth Prime Minister with whom I have worked in the past sixteen years as the Deputy Chairman of this House. I have had the privilege of having some of the illustrious Leaders of Opposition as my bench mates. Today, I share my bench with Dr. Manmohan Singh ji.

Now, the Leader of the House, Shri Jaswant Singh ji and I entered the Rajya Sabha together as first timers in 1980. Ever since, it has been a long and memorable association.

Honourable Ministers, Leaders of the political parties from both the Houses and honourable members of Parliament, your presence has enhanced the strength and esteem of our parliamentary traditions. We are thankful for adding élan to this occasion.

I thank Excellencies, the Ambassadors and High Commissioners for joining us on this significant occasion that manifests the democratic values and stability of our parliamentary institutions of the largest democracy of the world. Our democratic experience is unique and has been acclaimed as the role model for newer democracies. My election as the President of the Inter-Parliamentary Union was a unanimous recognition of our democratic traditions by the global parliamentary community.

The Media is a partner in democracy and a vital bridge between the parliamentary institutions and the people. I also thank the Fourth Estate for their support in our efforts.

I commend the Rajya Sabha Secretariat and the Indian Council for Cultural Relations for their efforts for today's function. The impeccable arrangement is the result of their detailed and meticulous planning.

Our very special thanks to the artistes — Ms. Shobhna Rao and Shaila Rani — who recited the invocation for this auspicious occasion.

I also thank the Department of Communications for facilitating the release of the Special Commemorative Stamp on this occasion.

I thank all our guests for sparing their valuable time to join us in the celebrations.

May I invite this distinguished assembly to carry this vote of thanks with acclaim and applause.

ADDRESS BY THE SPEAKER, LOK SABHA, SHRI MANOHAR JOSHI

Respected Rashtrapati ji, Respected Up-Rashtrapati ji, Respected Pradhan Mantri ji, Distinguished Parliamentarians, Ladies and Gentlemen:

I feel honoured and privileged to address this distinguished gathering on the occasion of the commemoration of the 200th Session of the Council of States, the Rajya Sabha. This Session of the Upper House of our Parliament is indeed an important milestone in the onward journey of our parliamentary democracy.

Ours is a bicameral Legislature at the Centre with a similar arrangement in a few States of the Union. Bicameralism is, in fact, one of the significant characteristics of the modern Legislatures. The co-existence of two deliberative representative bodies could even be traced back to as early as the Vedic age. The institutions–*Sabha* and *Samiti* mentioned in the *Rigveda* – contained the rudiments of a modern bicameral Parliament.

Today, one-third of the Parliaments of the world have two Chambers each. The need for the existence of Second Chamber acquires an added significance in a federal State such as ours, where it plays an important role as the guardian of the interests of the constituent units. In fact, the Second Chamber in a federation not only checks the separatist sentiments, if any, but also strengthens the unifying and integrative tendencies in the constituent units by providing them adequate representation in the national Parliament.

Besides, the Second Chamber provides adequate representation to regional interests and also the opportunity by which a limited number of qualified persons, unable or unwilling to take part in the rough and tumble of party politics, can be associated with the process of governance.

Constituted in April 1952, our Second Chamber has come to occupy a pre-eminent position in our parliamentary democracy and has played a vital role in the post-Independence parliamentary history of our country. Composed, as it is, of the most matured brains in politics and various other walks of life, this august body performs a uniquely important role in our polity. During its eventful existence of five decades, it has performed its constitutionally assigned role in a worthy manner, justifying in ample measure, the hopes and aspirations of the framers of our Constitution about its functioning as a revising Chamber of our Parliament. With their vigilant supervision and mature wisdom, the Elders have

always tried to give forceful articulation to the voice of the people. Having incessantly demonstrated its legislative competence in a wide range of areas, the Rajya Sabha has certainly acquired a distinct place and status in the annals of parliamentary history of our country.

Legislation is one of the most potent instruments to bring about socio-economic transformation in the society. The Rajya Sabha has been significantly involved in numerous legislative measures, the depth and content of which encompassed the interests of the common and disadvantaged sections of our society.

Like the popular House of our Parliament, a large number of Bills having far-reaching implications in the social and economic spheres of our national life have been introduced in the Rajya Sabha and their enactment has had a great bearing on the process of socio-economic change in the country. The contribution of this House in the realm of legislation can be gauged from the fact that during the fifty years of its existence, it has witnessed the introduction of more than seven hundred Government Bills. As the ordinary Bills can originate in either House, the Second Chamber proves to be quite helpful in relieving congestion of Government business in the popular House. It also gives more scope for full and free discussion on any legislative proposal.

It would perhaps not be out of order to mention here that in the history of our Parliament there were occasions of disagreement between the two Houses. The first occasion arose when there was a disagreement in respect of certain amendments to be made in the Dowry Prohibition Bill, 1959. The second occasion arose following the rejection of the Banking Service Commission (Repeal) Bill, 1977 by the Rajya Sabha. The third occasion arose when the two Houses were not in agreement on the Prevention of Terrorism Bill, 2002. In all these three cases, the deadlock was resolved through the mechanism of joint sitting. There is no denying the fact that the Rajya Sabha has always worked in the spirit of full cooperation with the Lok Sabha. Living upto the expectations of the people, these two organic constituents of our supreme representative institution have made India a role model of democratic governance and social transformation.

Even though the role of the Rajya Sabha in exercising control over financial matters is not as intense as that of the Lok Sabha, the fact remains that the role assigned to it in this regard is by no means insignificant. It does discuss both the Union and the Railway Budgets.

Our Constitution has granted some special powers to the Rajya Sabha. This House can adopt a resolution to enable Parliament, in the

national interest, to make laws with respect to any matter enumerated in the State List. Any All-India Service can be created by Parliament by law, if this House passes a resolution to that effect in the interest of the country. When the popular House has been dissolved, this House assumes special powers for giving effect to a Presidential Proclamation. The Rajya Sabha, thus, is structurally a unique edifice with its distinct value and utility in the scheme of our federal polity.

The Rajya Sabha has been served by a galaxy of scholars, educationists, historians, scientists, artists, poets, litterateurs, jurists, engineers, economists, administrators and social workers of outstanding ability. Amongst the many distinguished elected members of the Rajya Sabha, a few names such as Acharya Narendra Deva, Shri Bhupesh Gupta, Shri Vithal Gadgil, Dr. B.R. Ambedkar, Smt. Violet Alva, Shri M.C. Chagla, Shri Y.B. Chavan, Shri Humayun Kabir, Shri Piloo Mody, and Shri Prakash Veer Shastri, among others, come to my mind for the illustrious services they have rendered during their tenure in this House. Similarly, many distinguished sons and daughters of our country have also adorned the benches of this august House as nominated members. To mention only a few, Prof. Satyendranath Bose, Dr. Tara Chand, Shri Maithilisharan Gupta, Dr. Harivansh Rai Bachchan, Dr. P. V. Kane, Shri G. Sankara Kurup, Prof. Nurul Hasan, Smt. Rukmini Devi Arundale, Shri B.N. Banerjee, are some whose glorious contribution towards various walks of our national life hardly needs any mention.

Being the fora where the most controversial issues come up for discussion, both the Houses of our Parliament quite often function under stress and strain. It is natural that many a time heated exchanges take place and allegations are hurled at each other by the members of the ruling and Opposition parties in the Houses. Under the circumstances, a soft touch of humour has salutary effect of cooling the tempers in the House. Cutting across the party lines and political differences, the instances of wit and humour serve as oases in the dry desert of verbal duels.

While talking about witty scenes, I cannot but refer to Shri Piloo Mody, who was a distinguished member of Parliament. He was once busy talking to a woman MP sitting behind him in the House. A member made a Point of Order that Shri Modi had his back to the Chair. Shri Piloo Mody got up and said that somebody had alleged that he had his back to the Chair. *"As far as I am concerned there is no back and front; I am only round"*, he retorted.

The impressive performance of the Rajya Sabha and its enormous contribution to the Indian polity under the dynamic leadership of its

successive Presiding Officers beginning with the great philosopher Dr. S. Radhakrishnan to the towering political figure of our time, respected Shri Bhairon Singh Shekhawat ji, is a matter of great pride to all the Upper Houses in the country.

As a Presiding Officer of the lower House of our Parliament, I extend, on this auspicious occasion, my respectful greetings to this esteemed body of Elders and also express my cherished wish and ardent desire that its contribution to our national life would be even more glorious and splendid and it would continue to uphold parliamentary traditions and conventions with dignity and distinction in the years to come. I extend my heartiest congratulations to the Honourable Chairman, Shri Bhairon Singh Shekhawat ji, Honourable Deputy Chairperson, Dr.(Smt.) Najma Heptulla ji and the members of the Rajya Sabha for their exemplary services to the nation. I specially offer my hearty felicitation to Najma ji for being the longest serving Deputy Chairman of this House. My hearty congratulations are also to Shri Pranab Mukherjee, an outstanding parliamentarian of our time, and others, who have attended more than hundred sessions of the Rajya Sabha and contributed enormously to its proceedings with their deep understanding of parliamentary matters.

Thank you.

ADDRESS BY THE PRIME MINISTER OF INDIA, SHRI ATAL BIHARI VAJPAYEE*

His Excellency, the President, Honourable Vice-President and Chairman, Rajya Sabha, Speaker, Lok Sabha, Deputy Chairman, Rajya Sabha, and Honourable members of both the Houses of Parliament:

We are celebrating the 200th Session of Rajya Sabha. I had had an opportunity to be a member of the Rajya Sabha. When I lost the election to the Lok Sabha, then people said that it was curtains for me and that nothing was left for me. It was, of course, said in jest, and I came to the Rajya Sabha. I did not complete my full term of six years in the Rajya Sabha as after five years, I got elected to the Lok Sabha again. But even in the Lok Sabha I always remember my days in the Rajya Sabha. A small House, ample time to speak, conducive atmosphere for networking and making contacts, and an important place in the life of the nation—these are the special features of the Rajya Sabha. In 70-80 countries of the world which have a parliamentary system, a Second Chamber also exists. It has been provided because of its usefulness. However, the trouble arises when this Second House is

* Originally delivered in Hindi

treated as a secondary House. It is the Second House, and not a secondary one.

I still remember the day when in this very Central Hall of Parliament, the Rajya Sabha had taken such an unyielding stance on the social reforms issue that even the Lok Sabha had to concede. The Lok Sabha had to accept that, and in comparison to it, the Rajya Sabha was more dynamic and progressive. From the point of view of discussions, and now, even in verve, the Rajya Sabha lags behind none and I believe that the Rajya Sabha will continue to strengthen our democracy.

Now, it is not a House of Elders. A large number of young members have been elected to it. However, the need of the hour is that those who have entered the Rajya Sabha should work with maturity, that is to say, they should work thoughtfully and with understanding.

Thank you.

ADDRESS BY THE VICE-PRESIDENT OF INDIA AND CHAIRMAN, RAJYA SABHA, SHRI BHAIRON SINGH SHEKHAWAT

Mahamahim Rashtrapati ji, Honourable Prime Minister, Honourable Speaker of Lok Sabha, Honourable Deputy Chairperson, Honourable Members of Parliament, Distinguished Guests, Ladies and Gentlemen:

Namaskar, Good Evening. I welcome you all on this historic occasion when the Rajya Sabha is in its 200th Session. This is a landmark milestone in our journey on the path of parliamentary democracy. It is an occasion that gives us a sense of legitimate pride.

We are justifiably proud of our democracy. It is the story of the success of democracy in a populated nation which has demonstrated to the world how complex problems can successfully be addressed within constitutional and democratic framework. We pay our tributes to the members of Parliament who have all these years assiduously nurtured and strengthened the roots of our democracy and made continuous efforts towards promoting the welfare of our people. Outlining the core functioning of democracy, Mahatma Gandhi had said, "True democracy is what promotes welfare of the people". The success of democracy is, therefore, to be measured by the extent of welfare it promotes for our citizens.

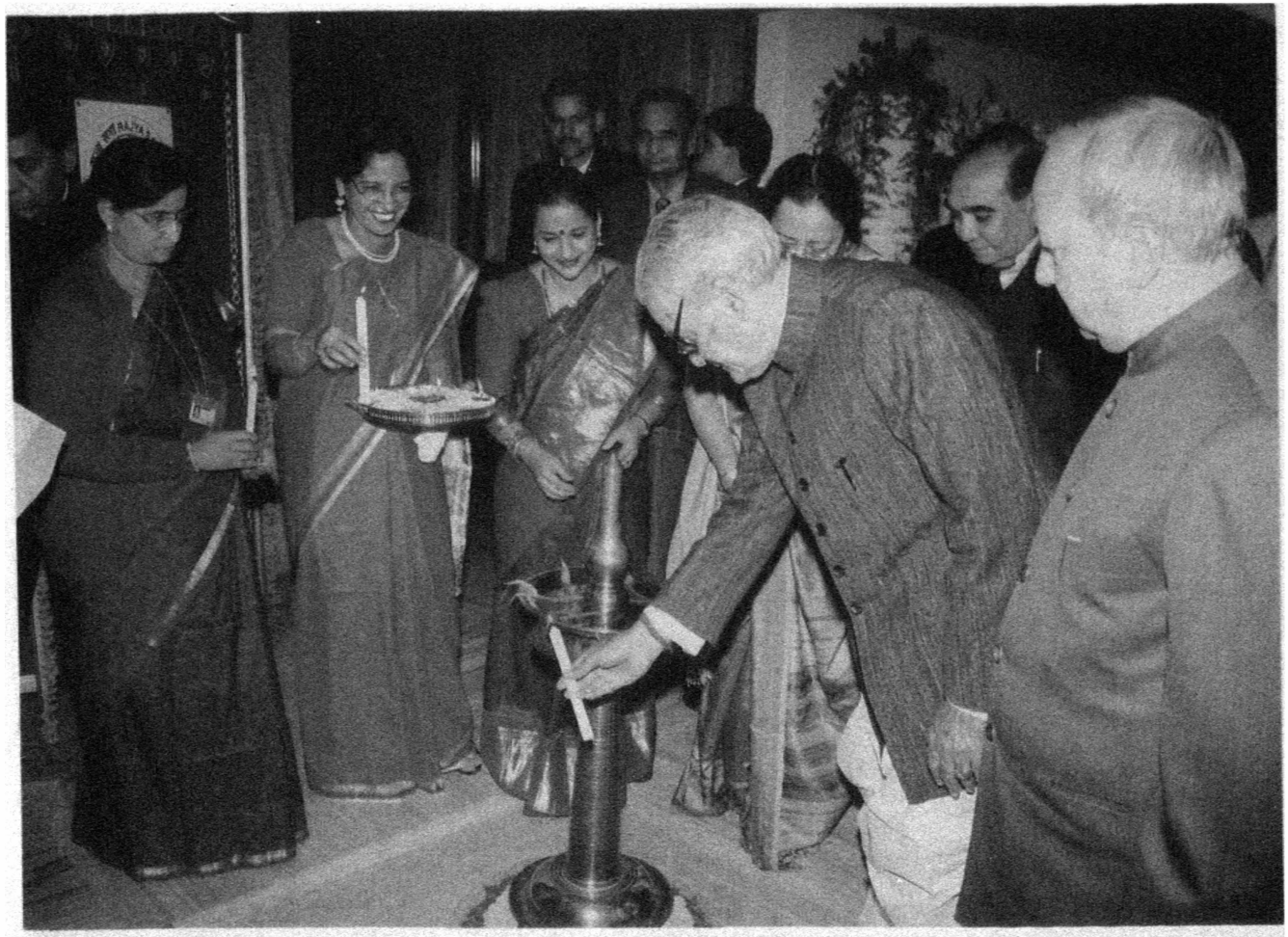
Our Constitution has provided a unique role to the Rajya Sabha. It is the permanent House of the Parliament of India which is Union of States. This House, therefore, very appropriately provides representation to the States and is described as the Council of States. The Rajya Sabha had its First Session on 13th May 1952. In a span of over fifty

years, the Rajya sabha has had 4,408 sittings, passed 3,203 Government Bills and considered 238 Private Members' Bills till the last Session. This has meant significant contribution by the Honourable members in critically evaluating legislative proposals, facilitating reasoned and dignified debates, and highlighting political consciousness. Indeed, the Rajya Sabha has all through been a lively and sagacious body. It should continue to function with even greater vigour and distinction towards fulfilling the aspirations of the present and future generations.

The Rajya Sabha, as the House of Elders, needs to be an alert and vigilant watchdog on the affairs of the nation and also function as a guide to the Union as also the States. Building up consensus on approach of action on major issues is critical to strengthening the roots of democracy. In respect of key issues of national importance before the Parliament, decisions should be based not just on the basis of relative strength of political parties. I recall that once while rejecting an amendment moved by C. Rajagopalachari, Pt. Jawaharlal Nehru had said, "You see Rajaji, the majority is with me". Rajaji retorted, "Yes Jawaharlal, the majority is with you but the logic is with me". Pt. Nehru laughed with the House and accepted Rajaji's amendment. Honourable members, through free and frank but serious discussion and constructive debate, we can, rising above party lines, evolve a shared approach of action on each of the key issues, make constructive suggestions and recommendations for appropriate legislative and executive action towards achieving public governance and enlarging public welfare.

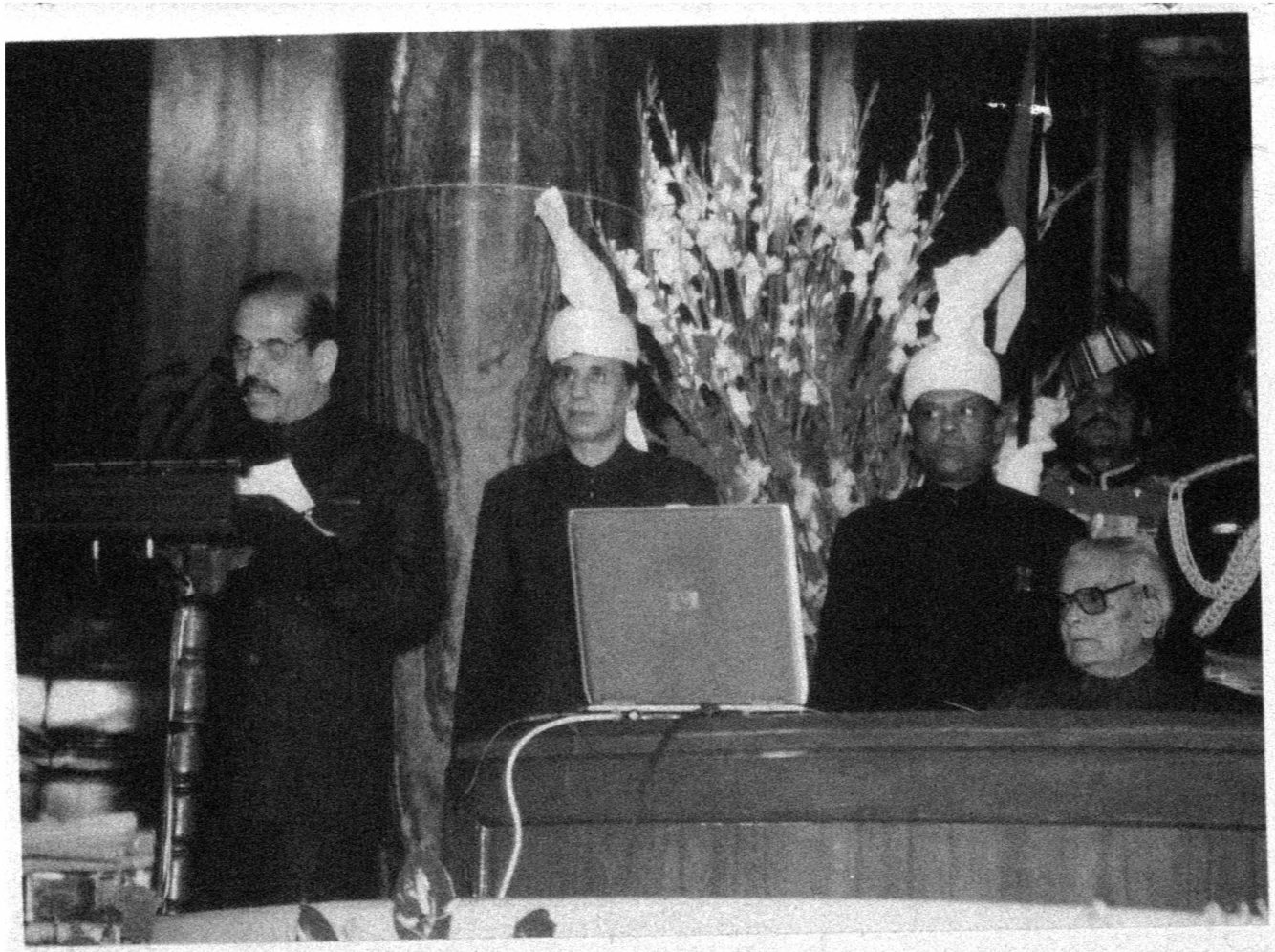
People's faith in democracy rests upon the confidence of the common man in the capacity, credibility and effectiveness of the system of governance. The concept and obligation of good governance is also enshrined in our Constitution in the form of the Directive Principles of State Policy. Effective and good governance in democracy is central and indispensable for the nation's development.

We are today faced with the challenges of economic growth and public governance. It is unfortunate that about 26 crores of our citizens still await freedom from hunger, disease and insecurity. Besides poverty alleviation, there are the challenges of population stabilization, electoral reforms, speedy justice and hassle and corruption-free administration to the common man. There are threats to national security as also to the bonds of national integration. We face the challenge of speeding up integrated and balanced development as also of weaving a stronger secular fabric and build up an environment of peace and social harmony conducive to growth and progress.



The Vice-President of India and Chairman, Rajya Sabha, inaugurating the Exhibition to commemorate the 200th Session of the Rajya Sabha

The Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla, addressing the distinguished gathering



The Speaker, Lok Sabha, Shri Manohar Joshi addressing the distinguished gathering

The President of India, Dr. A.P.J. Abdul Kalam, addressing the distinguished gathering; also seen in the picture are (L to R), the Speaker, Lok Sabha, Shri Manohar Joshi, the Vice-President, Shri Bhairon Singh Shekhawat, the Prime Minister, Shri Atal Bihari Vajpayee and the Deputy Chairperson, Rajya Sabha, Dr.(Smt.) Najma Heptulla

Honourable members, parliamentary institutions, being the fulcrum of our democracy, have to give the lead, set right standards, and be the role model for the State Legislatures, *Zila Parishads* and other elected local bodies. Let us again remind ourselves of the pious and noble resolutions we made while celebrating the fifty years of our Independence and again while celebrating the Golden Jubilee of our Republic. We need 'determination' and 'will' to act on those in good faith to fulfil the vision of making India a fully developed nation by 2020. In this onerous task, we need to make wholehearted efforts to serve the people with dedication and commitment. I am absolutely sanguine that God will bless our sincere and honest endeavours with success in full measure.

Today, we are privileged to felicitate and honour at the hands of *Mahamahim Rashtrapati ji* those distinguished members who hold the record of having attended more than hundred Sessions of the Rajya Sabha. My greetings to all of them. Our special felicitations are due to *Pranab Babu* who is a veteran with a score of 108 Sessions not out. We offer our best wishes to him for scoring the double century. Today is also his birthday; we wish him many happy returns of the day. I also greet Dr. Najma Heptulla who is being honoured as the longest serving Deputy Chairperson of Rajya Sabha.

I once again extend a hearty welcome to *Mahamahim Rashtrapati ji*, Honourable *Pradhan Mantri ji*, Honourable Speaker and all the Honourable members of Parliament for your august presence here today.

Thank you, *Jai Hind.*

ADDRESS BY THE PRESIDENT OF INDIA, DR. A.P.J. ABDUL KALAM

"When guns are silent
Flowers blossom on the earth
Fragrance engulfs good souls
Who created beautiful silence"

NATION SMILES

Honourable members, I am really fortunate to have worked with you on many occasions and also to share my views three times in the Parliament during the last sixteen months.

Particularly, I recall the breakfast meetings I had with the members of Parliament from all the States and Union territories in the Rashtrapati Bhavan. Through you, I could directly be in touch with the citizens of our nations and could feel their aspirations. We exchanged our views to put the nation ahead and to make India become a full member in the

G8 Group of Countries—which is a great mission of transforming our nation into a developed country.

When the Rajya Sabha is celebrating its 200th Session, what can be a better mission for the peoples' representatives of Lok Sabha and Rajya Sabha than to combat the poverty of 260 million people out of one billion and lead them to prosperity and bring a smile in their face? Can we do that? Will "the nation smile?"

A Day's Experience

When I was preparing for this very important address, this thought came to my mind. I got an answer from the events that took place on this Tuesday, 9th December 2003. Let me share them with you.

Water Mission: Tuesday morning, I went to Vigyan Bhavan to address an international conference on Water Management. As you all know water is the essence of life. Water brings prosperity. Internationally, out of 6 billion people, today, only 2 billion get adequate water. As most of the nations are busy with their national and international problems such as wars, terrorism, etc., the potential threat of water shortage in the coming years is not fully realized by them. Since most of the rivers are flowing through many nations, they could generate international disputes. We discussed two solutions with the international community on India's possible plan of action: one is the inter-linking of rivers which you are fully aware of, and the other, desalination of sea water using solar energy—a new thought especially since we are blessed with seas on three sides of our country and also possess adequate relevant technologies. The international community has fully acknowledged this as the right solution not only for India but also for the global community.

Children's Dream: Also, a very interesting event happened at the same venue. Suddenly, about 200 children made me to sit with them and interact for 20 minutes. During the interaction, I asked the children what they would like to do after their 10+2 study. Many said, they want to become engineers, doctors, fashion designers, lawyers etc. Then, surprisingly, I found in that gathering one boy and one girl lifted their hands simultaneously to tell me that they want to become political leaders? You will be happy to know the type of answer I got. The boy said, as a political leader I can give a vision to go to different planets and bring wealth to the country. There is nothing wrong in dreaming. But we have to work for it. The girl student said, she wants to become a political leader, to clean up the whole political system, particularly of corruption. One point I want to share with you, first time during my interaction with children, I could see the ambition of our children to

become political leaders even though they realize that this is the most challenging task, calling for continuous success, hard work and the courage to defeat the defeatist tendencies.

Creativity: When my mind was hovering continuously on the children's dream and the future water problem, two pleasant things happened on the same evening. One artist, Prof. B V Ramarao, from south who had settled down in Europe and is well known particularly for modern paintings, met me. He narrated his life-time experience. The artist went to Europe, and he studied European paintings. He made up his mind that he wanted to excel in the European modern paintings. He worked continuously for two years and generated a series of paintings. He brought Picasso and Glandstine in his paintings. He created a newer set of western paintings with the Indian touch of color. Every one who had seen this was astonished and never failed to admire his creativity. Today, he is one of the recognized artists in the world and a great painter. This experience demonstrates the creativity and the determination of the Indian mind to excel in whatever they do and wherever they are. There are many such good examples. In India, during the first vision of Independence, many political leaders, scientists, industrialists, educationalists, emerged to prove that they were an order better than those who ruled us. I am sure that the second vision of developed India will generate such enlightened citizens.

Competitiveness: On the same evening, I met one of the CEOs of an Industry. When we were discussing various aspects of the ascending performance of Indian industries, he informed me that some Indian industries recently had acquired certain manufacturing firms in the industrially developed countries and are transforming them into true multinational companies.

It was a happy day for me as these events established that our people have started becoming confident, competitive, entrepreneurial and creative. These are the foundations for the developed country. From the young students with a vision and dream in their eyes, the artist who made it big outside India to the Indian Multinational, they are symbols of the upbeat mood in which our country is currently in a mood which will form the foundation of all our dreams to become a developed nation.

Many newer missions will come for discussion in the Rajya Sabha with the objective of transforming India into a developed nation within the next two decades. I would like to discuss some of the issues.

Expanding roles of the Rajya Sabha

Over the last 50 years, the Rajya Sabha had played a critical role in addressing some of the major societal issues concerning relationships between some sections of the society, especially Judiciary, women's welfare, health care, property, behaviour etc. These are very well articulated in many of the well treasured publications of the Rajya Sabha and have had salutary effects on our post-Independence society.

Field of attention: With the passage of time, the compelling needs of the nation and the geo-political environment have also changed. The emphasis today has shifted towards solving issues in economic development, geo-politics, world trade, national security, energy and water security, growth of agriculture, manufacturing and services in the backdrop of the emerging global village and advances in science and technologies that follow the law of accelerating returns.

The role of the UN as envisioned by the founding fathers was that of a true representative of every nation of the world. The end of the Cold War has witnessed the inequitable influence of a few powerful nations on the UN. The need to evolve to a multi-polar and equitable world order is of paramount importance. The UN has to be transformed into a powerful international organisation with the voice heard from small or big nations, rich or poor nations. These issues are intricately intertwined with the national development. There are also problems of global violence taking many forms, including terrorism and intolerance between individuals and groups.

Freedom to Live

One of the important characteristics of democracy is tolerance for criticism. Analysis of criticism leads to understanding of truth. Normally, only criticism brings reality. Based on my visits to many parts of the country and exposure to the field problems, I find that there is a need for faster economic development in certain States. If committed people have to work selflessly, we have to ensure their safety without which their families and brethren will not allow them nor want them to work in such an uncertain environment. Freedom to move, freedom to think and freedom to express are ingrained in the freedom to live, it is also enshrined in our Constitution. We cannot have Inter-State barriers or inter-regional curbs that would snap the thread of unity. All of us will have to work together to create a conducive atmosphere for unhindered progress of developmental activities.

Creating a standardized quality education with a value system across

the population or even creating a corruption-free society are the problems that are challenging enough to demand out-of-the-box, unusual solutions. A fair and equitable access to judicial systems that are sensitive to changes in technology and society, pollution-free and energy efficient urban transport systems that are scalable nationwide are also equally challenging problems that need immediate attention. The Rajya Sabha can be an architect leading to providing practical solutions during the debate. Such decisions will be the typical bricks that would be necessary to build the edifice of a developed nation by 2020.

Rajya Sabha: next two decades

The major problems and issues of the 21st Century are emerging as highly inter-Ministry, inter-departmental, inter-State matters. The Ministries, Departments and States should be able to work cohesively in a borderless way for each mission. This is much the same way that today's Internet, Internet and Extranet all work in a coalition of convenience to create Virtual Organizations depending on the problem to be solved. In addition, since private investors and entrepreneurs will participate, we need to involve them as partners. The institutions of the State should aim to become partners of entrepreneurs and friends of citizens. Coherence and congruence in national and State development policies in the 21st Century can come about only by a well-debated, long-term vision for the nation as a whole, implemented efficiently and effectively by multiple inter-institutional and inter-disciplinary missions, programmes and projects. Most of them, for example, the National River Water Mission, Providing Urban Amenities to Rural Areas (PURA) and other suggested five areas are highly complex, technically and managerially, and they involve complex relations between the centre and the states, private entities, citizens and indeed with other nations as well.

The System of Committees to implement Vision–Developed India 2020—jointly with the Lok Sabha—thus needs to expand for new roles and responsibilities and develop capabilities to progress inter-Ministry and Inter-State tasks, focused to costs, speed and timeliness, efficiency and benefits of specific missions.

It is imperative to provide intensive and regular exposure to our esteemed Rajya Sabha members who are coming from various walks of life on the development of political vision, political system management and the art of becoming role models for the youth of the nation. This exposure can be mutually beneficial–the Programme Management would benefit from the rich and varied experience of the members of the Rajya

Sabha and the honourable members would also get sensitized to the needs and priorities of the nation. This House can consider and create a framework for providing this unique knowledge base required for managing the largest democracy in the world with the sole focus of development.

Missions for Vision 2020

Vision 2020 has been generally accepted by the nation. Now the time has come to transform the vision to mission. Vision 2020 implementation needs to be viewed as a set of joint Centre-State-industry-academy-people missions. These include socio-economic missions such as Interlinking of Rivers, Providing Urban Amenities to Rural Areas (PURA), Healthcare, Electrical power, techno economic missions such as large-scale use of solar and other non-conventional energy sources and socio-technical missions such as Low Intensity Conflict Management and Information Security.

For these missions, the nodal agency for individual missions may have to be carefully planned without following the current methods of departmental compartmentalization. The empowered management structure, innovative systems of execution, public accountability, etc. would need to be conceptualized, debated upon, designed and implemented.

The national mission demands large inter-departmental budgetary provisions. Let me discuss with you a case study. Our parliamentarians and legislators are given local area development scheme fund which in a Plan period amounts to over Rs.15,000 crore. My careful study and analysis indicate that in India we have adequate resources. We suffer from a system of implementation, which requires to be made economically efficient. Benefits will then reach the people. For example, I suggest the honourable members should become facilitators for executing the PURA projects through these funds in their regions, which will bring visible development changes in their constituencies and meet the aspirations of the people. All these will also lead to greater employment generation and more efficient and effective governance, not necessarily in the traditional sense of jobs but often as self-employed skilled persons.

I would suggest that the honourable members become the ambassadors for these missions and make the one billion people participate in the noble task of "Developed India Movement."

Conclusion

Ours is a vast country–a sub-continent. As it happens with any such large country, there are multiplicities of everything, language, re-

ligion or even ethnicities. Even natural resources are strewn across the country far and wide. If one area is rich in a particular resource, another is in another and yet another is in still another. If one area is excellent for agriculture, another is excellent for information technology, another in manufacturing and so on. All these diversities not withstanding, we Indians all along have been genuinely proud of our innate unity, our heritage and our civilization. In fact, that has been the singular reason for our having been able to hold ourselves together as a proud nation with the glorious past looking forward to a still more glorious future of developed India by 2020, a happy, prosperous and safe India.

Dear honourable members, in this beautiful environment of the celebration of the 200th Session of the Rajya Sabha, we have so far discussed the vision of the Rajya Sabha of the future in relation to an evolution of a prosperous India. A billion people of various walks of life have to sweat to create the land of enlightened citizens. Now, I hear a divine hymn, let me share with you.

Righteousness

"Where there is righteousness in the heart,
There is beauty in the character.
Where there is beauty in the character,
There is harmony in the home.
Where there is harmony in the home,
There is an order in the nation.
Where there is an order in the nation,
There is peace in the world."

At this 200th Session of the Rajya Sabha, I am sure that this hallowed institution will rise to the occasion, and take the historic step to lead India to be a developed nation.

I wish you all success. God bless you.

"Child flower asks Mother,
Mother, why should we blossom,
Man plucks us, animal eats,
O! Child, if we do not blossom
Man's heart turns cruel"

2

PARLIAMENTARY EVENTS AND ACTIVITIES

Conferment of Outstanding Parliamentarian Awards: The Indian Parliamentary Group had instituted in 1995 an Outstanding Parliamentarian Award to be conferred each year on a sitting member of Lok Sabha/ Rajya Sabha.

An Award Committee consisting of the Speaker, Lok Sabha, Shri Manohar Joshi as the Chairman; the Deputy Chairman, Rajya Sabha, Dr.(Smt.) Najma Heptulla; the Minister of Health and Family Welfare and Parliamentary Affairs, Smt. Sushma Swaraj; Sarvashri Pramod Mahajan, Somnath Chatterjee, S. Jaipal Reddy, all members of Parliament; Shri Inder Jit, ex-MP and senior journalist and the Secretary-General, Lok Sabha and Secretary-General, IPG, Shri G.C. Malhotra as Secretary to the Committee, considered nominations for the Award. The Speaker, Lok Sabha and President of the Group, Shri Manohar Joshi, placed the recommendations of the Award Committee before the Executive Committee of the IPG on 29 January 2004. The Executive Committee accepted the recommendations of the Award Committee. The Speaker, Lok Sabha and President of the Group announced the names of the Outstanding Parliamentarians as follows: Shri L.K. Advani, MP (1999); Shri Arjun Singh, MP (2000); Shri Jaswant Singh, MP (2001); and Dr. Manmohan Singh, MP (2002).

It was decided that the Award should be conferred at a function later this year.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

On the birth anniversaries of national leaders whose portraits adorn the Central Hall of Parliament House, functions are organised under the auspices of the Indian Parliamentary Group to pay tributes to the leaders. Booklets containing profiles of these leaders, prepared by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, are brought out on the occasion.

The birth anniversaries of the following leaders were celebrated during the period 1 January to 31 March 2004.

Netaji Subhas Chandra Bose: On the occasion of the birth anniversary of Netaji Subhas Chandra Bose, a function was held on 23 January 2004. The Deputy Prime Minister and in-charge of the Ministry of Home Affairs and Ministry of Personnel, Public Grievances and Pensions, Shri L.K. Advani; members of Parliament; and former members of Parliament and others paid floral tributes.

Lala Lajpat Rai: On the occasion of the birth anniversary of Lala Lajpat Rai, a function was held on 28 January 2004. The Deputy Prime Minister and in-charge of the Ministry of Home Affairs and Ministry of Personnel, Public Grievances and Pensions, Shri L.K. Advani; the Minister of Parliamentary Affairs and Minister of Health and Family Welfare, Smt. Sushma Swaraj; the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; members of Parliament; and former members of Parliament and others paid floral tributes.

Smt. Sarojini Naidu: On the occasion of the birth anniversary of Smt. Sarojini Naidu, a function was held on 13 February 2004. The Deputy Prime Minister and in-charge of the Ministry of Home Affairs and Ministry of Personnel, Public Grievances and Pensions, Shri L.K. Advani; the Leader of Opposition in the Rajya Sabha, Dr. Manmohan Singh; members of Parliament; and former members of Parliament and others paid floral tributes.

Morarji Desai: On the occasion of the birth anniversary of Shri Morarji Desai, a function was held on 29 February 2004. The Minister of State for Agro-Rural Industries (Independent Charge), Shri Sangh Priya Gautam; members of Parliament, and former members of Parliament and others paid floral tributes.

Dr. Rammanohar Lohia: On the occasion of the birth anniversary of Dr. Rammanohar Lohia, a function was held on 23 March 2004. The Minister of Defence, Shri George Fernandes; members of Parliament; and former members of Parliament and others paid floral tributes.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 January to 31 March 2004, the Bureau of Parliamentary Studies and Training (BPST) organised the following Courses/Programmes:

Nineteenth International Training Programme in Legislative Drafting: The Nineteenth International Training Programme in Legislative Drafting was organised from 11 December 2003 to 13 February 2004. The

Deputy Speaker, Lok Sabha, Shri P.M. Sayeed, inaugurated the Programme on 15 December 2003. Twenty-two participants from fifteen countries, *viz.* Afghanistan, Antigua and Barbuda, Bhutan, Fiji, Georgia, Ghana, Haiti, Hungary, Madagascar, Mongolia, Namibia, Sri Lanka, Suriname, Uganda and Zambia attended the Programme. Four officers from the Lok Sabha Secretariat; one officer from the Rajya Sabha Secretariat; two officers from the Jammu and Kashmir Legislative Assembly Secretariat; one officer from the Orissa Legislative Assembly Secretariat; and one officer from the Tamil Nadu Legislative Assembly Secretariat also attended the Programme.

The Programme was designed to equip the parliamentary officials with the basic concepts, skills and techniques required in drafting legislation so as to enable them to assist members of Parliament whenever required.

Appreciation Courses: Six Appreciation Courses in Parliamentary Processes and Procedures were organised covering Probationers of the following nine Central Services: (i) (a) Indian Railway Traffic Service and (b) Indian Railway Stores Service (12 to 16 January 2004); (ii) Indian Foreign Service (19 to 23 January 2004); (iii) (a) Indian Railway Service of Electrical Engineers and (b) Indian Information Service (3 to 6 February 2004); (iv) (a) Indian Audit and Accounts Service and (b) Indian Ordnance Factories Service (1 to 5 March 2004); (v) Indian Administrative Service (8 to 12 March 2004); and (vi) Indian Revenue Service (15 to 19 March 2004).

Training Courses for Officers of Lok Sabha Secretariat: The following three Training Courses for the Officers of the Lok Sabha Secretariat were organised by the Bureau:

(i) A Computer Training Programme for Officers/Staff of Pay and Accounts Office, Lok Sabha was organised by the Bureau in two groups from 5 to 9 January 2004.

(ii) Training Programme for the newly-recruited Executive/Legislative/Committee/Protocol Officers and Research/Reference Officers of the Lok Sabha Secretariat was organised from 15 March to 8 April 2004.

(iii) A Training Programme on Noting, Drafting and Office Procedure for Watch and Ward Officials of the Parliament was organised from 22 to 25 March 2004.

Study visits: Eight study visits were organised during the period for participants from various training and educational institutions.

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PRIVILEGE ISSUES

LOK SABHA

Alleged suppressing of facts and misleading of the House by a Minister who was a member of the other House: On 22 July 2003, Shri G.M. Banatwalla, and on 24 July 2003, Shri Priya Ranjan Dasmunsi, members, gave notices of question of privilege against Shri Arun Jaitley, Minister of Law and Justice, for allegedly suppressing facts and misleading the House regarding dilution of charges by the Central Bureau of Investigation (CBI) against the accused in the Babri Masjid demolition case. The members, in their notices, stated that the Minister of Law and Justice had written a letter to the Speaker on 21 July 2003 which the Speaker read out in the House stating that "... the CBI has not diluted any case (or) dropped any charge against any accused person. Section 120B was never a charge in the Rae Bareilly chargesheet and the question of dropping it does not arise."

The members alleged that the position taken by the Minister in his letter was misleading as well as suppression of facts as in the consolidated chargesheet of the CBI, section 120B was very much there. On 13 August 2003, when Shri G.M. Banatwalla sought to raise the matter in the House, the Speaker, *inter alia*, ruled:

> "...The Committee of Privileges of the Lok Sabha and the Rajya Sabha in the Report of their joint sitting in 1954 had laid down the procedure to be followed in case where a member of the House is alleged to have committed a breach of privilege of the other House. In terms of that procedure, when a question of breach of privilege is raised in one House in which a member of the other House is involved, the Presiding Officer of the House in which question of privilege is raised, has to refer the case to the Presiding Officer of the other House for appropriate action.
>
> Upon the case being so referred, the Presiding Officer of the other House shall deal with the matter in the same way as if it were a case of breach of privilege of that House. The Presiding Officer shall, thereafter, communicate to the Presiding Officer of the House where the question of privilege was originally raised, a report about the enquiry, if any, and the action taken on the reference.

The report of the Joint sitting of the Committees of Privileges of the Lok Sabha and the Rajya Sabha was presented to both the Houses on 23 August 1954. The Report was adopted by the Lok Sabha on 2 December 1954 and by the Rajya Sabha on 6 December 1954.

This matter came up before the Conference of Presiding Officers of Legislative Bodies in India held in 1955 which appointed a Committee of Speakers to examine the matter. The Report of the Committee of Speakers, adopted by the Conference of the Presiding Officers of Legislative Bodies in India on 17 September 1956, laid down the procedure to be adopted in such cases. The Committee in their Report observed:

> '... a convention should be developed to the effect that when a question of breach of privilege is raised in any Legislature in which a member of other House is inyolved, the Presiding Officer should refer the case to the Presiding Officer of the Legislature to which that member belongs and the latter should deal with the matter in the same way as if it were a breach of privilege of that House.'

There are several instances where questions of privilege against members of the Rajya Sabha were referred to the Chairman, Rajya Sabha...

... There are also instances where questions of privilege raised against members of the State Legislatures were referred to the Presiding Officers of respective State Legislatures...

... There have also been instances of notices of question of privilege against members of the Lok Sabha being referred to the Speaker, Lok Sabha, by the Presiding Officers of the State Legislatures.

In the instant case, I had also called for comments of Shri Arun Jaitley. After going through the material submitted to me by both the sides, I felt that the matter required further examination.

As Shri Arun Jaitley is a member of Rajya Sabha, I felt that it would be appropriate, if the matter is considered by the Honourable Chairman, Rajya Sabha. I have, therefore, referred this matter to the Honourable Chairman, Rajya Sabha, on 1 August 2003 for appropriate action."

On 4 March 2004, the Secretary-General, Rajya Sabha, informed that the Chairman, Rajya Sabha, after consideration of facts on record, was of the opinion that there was no breach of privilege involved in the matter. The matter was, therefore, treated as closed.

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PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JANUARY TO 31 MARCH 2004)

Events covered in this Feature are based primarily on reports appearing in the daily newspapers and, as such, the Lok Sabha Secretariat does not accept any responsibility for their accuracy, authenticity or veracity.

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Second Part of Winter Session of Parliament: The Second Part of the Fourteenth Session of the Thirteenth Lok Sabha commenced on 29 January 2004. The 200th Session of the Rajya Sabha was reconvened on 30 January 2004. Both the Houses of Parliament were adjourned *sine die* on 5 February 2004. The Thirteenth Lok Sabha was dissolved on 6 February 2004. The Rajya Sabha was prorogued by the President on 10 February 2004.

Death of Lok Sabha member: On 3 January 2004, Shri Bhan Singh Bhaura, a sitting CPI member of the Lok Sabha from the Bhatinda (Punjab) constituency, passed away.

PMK withdraws from NDA: On 12 January 2004, the PMK withdrew support to the National Democratic Alliance (NDA) Government and severed ties with the BJP. On 18 January 2004, the two Ministers of PMK, Minister of State (Independent Charge) of the Ministry of Food Processing Industries, Shri N.T. Shanmugam, and the Minister of State in the Ministry of Railways, Shri A.K. Moorthy, resigned from the Union Council of Ministers.

Split in NCP: On 24 January 2004, the Nationalist Congress Party (NCP) split with Shri P.A. Sangma deciding to part ways with Shri Sharad Pawar and proclaiming his group as the real NCP.

On 8 March 2004, the Election Commission recognised the NCP faction led by Shri Sharad Pawar as the real NCP and allowed it to use the party symbol.

On 13 March 2004, the breakaway NCP headed by Shri P.A. Sangma merged with Km. Mamata Banerjee's Trinamool Congress. The new party, known as the Nationalist Trinamool Congress, elected Km. Mamata Banerjee as its leader. It would retain the flower with grass symbol of the Trinamool Congress.

Dissolution of Lok Sabha: On 6 February 2004, on the advice of the Council of Ministers, the President, Dr. A.P.J. Abdul Kalam, dissolved the Thirteenth Lok Sabha.

Lok Sabha polls to be held in five phases: On 29 February 2004, the Election Commission announced that the Lok Sabha elections would be held in four phases on 20 April, 26 April, 5 May and 10 May 2004. Assembly polls in Andhra Pradesh, Karnataka, Orissa and Sikkim would be held simultaneously on 9 May 2004. Subsequently, the fifth phase was added on a specific request by the Tripura Government to re-schedule the poll on account of the Tribal Baba Garyapooja festival that coincided with the 20 April 2004 schedule. The elections in Tripura would be held on 22 April 2004.

Resignation of Union Minister: On 15 March 2004, the Union Minister of State for Shipping, Shri Dilip Gandhi, resigned from the Council of Ministers.

Rajya Sabha election results: On 19 March 2004, Sarvashri M.S. Gill, Ashwani Kumar and Dharampal Sabharwal (all from Indian National Congress); and Gurcharan Singh Tohra and Virender Singh Bajwa (both from Shiromani Akali Dal) were declared elected to the Rajya Sabha unopposed from Punjab. From Kerala, Sarvashri K. Karunakaran (Congress), A.Vijayaraghavan (CPI-M) and P.V. Abdul Wahab (IUML) were elected unopposed.

AROUND THE STATES

ASSAM

Death of Minister: On 4 February 2004, the Minister for Employment and Technical Training, Smt. Rupam Kurmi, died at a Delhi hospital following protracted illness. She was 55.

BIHAR

Resignation of Minister: On 24 March 2004, the Minister of State for Weights and Measures, Shri Chheddi Paswan, resigned from the Council of Ministers, against the party's decision to allocate the Sasaram (SC) Lok Sabha seat to the Congress.

On 30 March 2004, the Food and Civil Supplies Minister, Shri Purnamasi Ram, resigned from the State Legislative Assembly and the party following the denial of ticket to him to contest from the Bagha (SC) Lok Sabha seat.

JAMMU AND KASHMIR

Expansion of Cabinet: On 12 February 2004, the Chief Minister Shri Mufti Mohammed Sayeed expanded his Council of Ministers by inducting Smt. Saroj Bala Bhagat as Cabinet Minister and nine Ministers of State. The newly appointed Ministers of State are: Sarvashri Raman Bhalla, Yogesh Sawhney, Sarfaraz Khan, Gulam Hasan Khan, Manjit Singh, Usman Abdul Majid, Jatinder Singh, Dr. Ramesh Chander and Dr. Ghulam Nabi Lone.

JHARKHAND

Resignation of Minister: On 18 January 2004, on the recommendation of the Chief Minister Shri Arjun Munda, the Governor divested Science and Information Technology Minister Shri Samaresh Singh of his portfolio. On 20 January 2004, Shri Samaresh Singh resigned from the Council of Ministers. His resignation was accepted.

KARNATAKA

Resignation of Minister: On 4 January 2004, Minister for Small Scale Industries, Shri Roshan Baig, resigned from the Council of Ministers following allegations of his alleged role in the multi-crore fake stamp paper scam.

Hegde dead: On 12 January 2004, former Chief Minister and Janata Dal (United) leader, Shri Ramakrishna Hegde, passed away in Bangalore.

Dissolution of State Legislative Assembly: On 23 February 2004, on the recommendation of the Council of Ministers, the Governor dissolved the State Legislative Assembly eight months before the expiry of its term.

KERALA

Reallocation of portfolios: On 11 February 2004, the Chief Minister, Shri A.K. Antony, allocated the Electricity portfolio to Shri K. Muraleedharan. Shri Kadavoor Sivadasan, who held this portfolio, was given charge of the Ministry of Health.

Resignation of MLA: On 20 February 2004, Shri V. Balaram,

Congress MLA from the Vadakkanchery Assembly constituency, resigned from the State Legislative Assembly, to enable the Electricity Minister, K. Muraleedharan, to contest from there.

Governor dead: On 23 February 2004, the Governor of Kerala, Shri Sikander Bakht, died at a Thiruvananthapuram hospital. On 24 February 2004, the Karnataka Governor, Shri T.N. Chaturvedi, was given additional charge of Kerala. He was sworn in on 25 February 2004.

MAHARASHTRA

Former Chief Minister dead: On 26 February 2004, the former Chief Minister of Maharashtra and former Union Minister, Shri S.B. Chavan, passed away. He was 83.

ORISSA

Assembly dissolved: On 6 February 2004, on the recommendation of the Council of Ministers, the Governor Shri M.M. Rajendran dissolved the 12th Orissa Legislative Assembly.

PUNJAB

New Deputy Chief Minister: On 6 January 2004, Smt. Rajinder Kaur Bhattal was appointed as the Deputy Chief Minister of Punjab.

RAJASTHAN

Governor sworn in: On 14 January 2004, Shri Madan Lal Khurana was sworn in as the Governor of Rajasthan.

SIKKIM

Dissolution of State Assembly: On 11 February 2004, Governor Shri V. Rama Rao dissolved the State Legislative Assembly, seven months ahead of its tenure, on the recommendation of the Chamling Government, paving the way for early Assembly polls.

TAMIL NADU

Minister dropped: On 4 January 2004, on the advice of the Chief Minister Km. Jayalalithaa, the Governor dropped the Minister for Food, Civil Supplies, Consumer Protection, Price Control and Statistics, Shri P. Mohan, and the Minister for Municipal Administration, Rural Development, Panchayats and Panchayat Unions, Poverty Alleviation Programmes, Rural Industries, Urban and Rural Water Supply, Shri M.L. Sampath, from the Council of Ministers.

Expansion of Cabinet: On 23 January 2004, Shri C.Ve. Shanmugam was sworn in as the Minister for Labour, Employment and Training, Census and Wakfs and Urban and Rural Employment.

Resignation of MLA: On 3 February 2004, Shri Thol. Thirumavalan, MLA, and General Secretary of the Dalit Panthers of India resigned from the State Legislative Assembly. His resignation was accepted by the Speaker, Shri K. Kalimuthu, on 4 February 2004.

UTTAR PRADESH

Mulayam Singh Yadav elected to State Legislative Assembly: On 1 February 2004, the Chief Minister and Samajwadi Party candidate Shri Mulayam Singh Yadav was declared elected from the Gunnaur Assembly constituency.

RKP merger with BJP: On 3 February 2004, the Rashtriya Kranti Party (RKP) led by Shri Kalyan Singh merged with the BJP. Two RKP Ministers in the Mulayam Singh Yadav Government resigned from the Council of Ministers following the party's decision.

DEVELOPMENTS ABROAD

DOMINICA

Death of Prime Minister: On 6 January 2004, the Prime Minister, Mr. Pierre Charles, died following a heart attack. On 8 January 2004, Mr. Roosevelt Skerrit was sworn in as the new Prime Minister.

EL SALVADOR

New President: Mr. Antonio Elias Saca was declared elected as the President of El Salvador in the elections held on 21 March 2004.

GEORGIA

New President: Mr. Mikhail Saakashvili was elected as the President in the elections held on 4 January 2004.

New Prime Minister: On 17 February 2004, Mr. Zurab Zhvania was sworn in as the Prime Minister.

GREECE

Election results: In the election held on 7 March 2004 for the 300-seat *Vouli* (the unicameral Legislature), the Opposition New Democracy (ND) won 165 seats. The Panhellenic Socialist Movement (Pasok) secured 117 seats. The Communist Party of Greece (KKE) won

12 seats while the Coalition of the Left, the Movements and the Ecology secured 6 seats.

New Prime Minister: On 9 March 2004, Mr. Kostas Karamanlis of the ND was sworn in as the new Prime Minister.

GUINEA-BISSAU

Election results: Elections to the 102-seat National People's Assembly (the unicameral Legislature) were held on 28 March 2004. The following is the party position: Total seats 102; African Party for the Independence of Guinea-Bissau and Cape Verde (PAIGC):45; Social Renewal Party (PRS):35; United Social Democratic Party (PUSD): 17; Electoral Union (UE):2; United Popular Alliance (APU):1; Seats reserved for Expatriates:2

HAITI

Political developments: On 29 February 2004, President Mr. Jean-Bertrand Aristide resigned and fled from Haiti to an undisclosed location following an armed uprising. As per the Constitution, the Chief Justice of the Supreme Court, Mr. Benface Alexandre, was sworn in as the Interim President.

On 9 March 2004, a US-backed Council of Elders appointed Mr. Gerard Latortue as the interim Prime Minister until fresh legislative elections could be held.

KAZAKHSTAN

New Senate Speaker: On 10 March 2004, Mr. Nurtay Abykayev was elected as the Speaker of the Senate (the Upper House of the bicameral Legislature).

LATVIA

Fall of Government: On 5 February 2004, the Prime Minister, Mr. Einars Repse, submitted the resignation of his Centre-right coalition Government, which had lost its parliamentary majority on 28 January 2004, following the withdrawal of support of the Latvia First Party.

New Government: On 9 March 2004, the *Saeima* (the unicameral Legislature) approved by 56 votes to 33, a three-party minority coalition Government under a new Prime Minister, Mr. Indulis Emsis, of the Union of Greens and Farmers (ZZS). The other coalition partners are the Latvia First Party (LPP) and the People's Party (TP).

MACEDONIA

Death of President: On 26 February 2004, the President, Mr. Boris Trajkovski, died in a plane crash. Under the Macedonian Constitution, the Speaker of the *Sobranje* (the unicameral Legislature), Mr. Ljupco Jordanovski, was appointed as the acting President.

MALAYSIA

Election results: The Prime Minister Mr. Abdullah Ahmad Badawi's ruling Barisan Nasional (BN-National Front) coalition won a landslide victory in elections held on 21 March 2004, securing 198 seats in the 219-seat *Dewan Rakyat* (House of Representatives-the Lower House of the bicameral Legislature). The following is the detailed party position: United Malays National Organisation (UMNO):109; Malaysian Chinese Association (MCA):31; United Traditional Bumiputra Party (PPBB): 11; Parti Gerakan Rakyat Malaysia (Gerakan):10; Malaysian Indian Congress (MIC): 9; Sarawak Dayak People's Party (PBDS):6; Sarawak United People's Party (SUPP):6; Sarawak Progressive Democratic Party (SPDP):4; Parti Bersatu Sabah (PBS):4; United Pasok Momogun Kadazandusun Organisation (UPKO):4; Parti Maju Sabah (SAPP-Sabah Progressive Party):2; Parti Bersatu Rakyat Sabah (PBRS):1; People's Progressive Party of Malaysia (PPP):1; Democratic Action Party (DAP): 12; Pan-Malaysian Islamic Party (PAS):7; Keadilan (PKN-National Justice Party):1; and Independent:1.

MALTA

New Prime Minister: On 23 March 2004, the Prime Minister, Mr. Edward Fenech Adami, resigned. The President, Mr. Guido De Marco, appointed Mr. Lawrence Gonzi as the new Prime Minister.

POLAND

Political developments: On 26 March 2004, the Prime Minister, Mr. Leszek Miller, announced that he would resign on 2 May 2004, the day after Poland's planned accession to the European Union. On 29 March 2004, Mr. Marek Borowski resigned as the Speaker of the *Sejm* (the lower House of the bicameral Legislature). On the same day, the President, Mr. Alexander Kwasniewski named Mr. Marek Belka as the Prime Minister.

RUSSIA

Dismissal of Government: On 24 February 2004, the President, Mr. Vladimir Putin, dismissed the Mikhail Kasyanov Government and

appointed the Deputy Prime Minister, Mr. Viktor Khristenko, as the acting Prime Minister. On 1 March 2004, the President announced Mr. Mikhail Fradkov as the new Prime Minister.

President re-elected: On 14 March 2004, incumbent President Mr. Vladimir Putin was re-elected for another term.

SOUTH KOREA

Impeachment of President: On 12 March 2004, the 273-member National Assembly decided to impeach the President Mr. Roh Moo Hyun by 193 votes in favour and 2 against, on the grounds that the President had violated his constitutional neutrality by a statement in February encouraging people to vote for the Uri Party in the legislative elections scheduled for 15 April. Following the impeachment vote, his constitutional powers were immediately suspended and the Prime Minister Mr. Goh Kun took over as the acting President, pending a ruling by the nine judges of the Constitutional Court, which has 180 days to decide whether to approve or reject the impeachment. The Constitutional Court held its first hearing on 30 March 2004.

SPAIN

Election results: In the elections held to the 350-seat Congress of Deputies on 14 March 2004, the Spanish Socialist Workers' Party (PSOE) secured 164 seats. The position in respect of the other parties is as under: Popular Party (PP):148; Convergence and Union (CiU): 10; Catalan Republican Left (ERC):8; Basque Nationalist Party (PNV): 7; United Left (IU):5; Canary Islands Coalition (CC):3; National Galician Bloc (BNG):2; Aragonese Junta (CHA):1; We the Basque People:1; and Navarre Yes:1.

In the elections held for the 208-member Senate, the Popular Party secured 102 seats. The position in respect of the other parties is as under: Spanish Socialist Workers' Party (PSOE):81; Catalan Republican Left (ERC):12; Basque Nationalist Party (PNV):6; Convergence and Union (CiU):4; and Canary Islands Coalition (CC):3.

SWAZILAND

Resignation of Speaker: On 10 March 2004, Mr. Marwick Khumalo resigned as the Speaker of the House of Assembly (the lower Chamber of the bicameral Legislature). He was replaced as Speaker by his deputy, Ms. Trusty Gina.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

Section 13AA, which was inserted in the Representation of the People Act, 1950 in the year 1966, provided for the designation or nomination of an officer as the district election officer for each district in a State, other than a Union territory, as the chief electoral officer was unable to cope with the burden of the election work. At that time, there was no concept of districts in the Union territories and, therefore, the provision of district election officer was not made applicable to the Union territories. The district election officer coordinated and supervised the work relating to preparation and revision of electoral rolls and conduct of elections for all Parliamentary, Assembly and Council constituencies within the district concerned.

The Election Commission had stated that the Union territories were since divided into districts for administrative efficiency and had, therefore, recommended amendment of section 13AA to provide for designation or nomination of district election officers in the Union territories, including the National Capital Territory of Delhi. The Election Commission had also requested that in view of the ensuing general election of the Legislative Assembly of the National Capital Territory of Delhi, urgent action might be taken to carry out the proposed amendments and, accordingly, the Representation of the People (Amendment) Ordinance, 2003 was promulgated on 29 October 2003.

The Representation of the People (Second Amendment) Bill, which sought to replace the aforesaid Ordinance, was passed by the Lok Sabha and the Rajya Sabha on 9 and 16 December 2003, respectively. It received the President's assent on 1 January 2004.

Pursuant to enactment of the Constitution (Eighty-fourth Amendment) Act, 2001, the Delimitation Act, 2002 was enacted to constitute the Delimitation Commission. The Delimitation Commission was accordingly constituted on 12 July 2002. The main task of the Commission was to readjust the territorial constituencies of the seats in the Lok Sabha allocated to each State and the readjustment of the territorial constituencies of the total number of seats in the Legislative Assembly of each State and also to refix the number of seats reserved for the Scheduled Castes and the Scheduled Tribes on the basis of the 1991 census. During the Budget Session of 2003, the Constitution (Eighty-seventh Amendment) Act, 2003 was enacted which provided for readjustment of electoral constituencies, including those reserved for the Scheduled Castes and the Scheduled Tribes, based on the population census for the year 2001, without affecting the number of seats allocated to the States in the Legislative Bodies.

The Delimitation Act, 2002 as originally enacted provided for delimitation of electoral constituencies on the basis of the 1991 census. In order to give

effect to the Constitution (Eighty-seventh Amendment) Act, 2003, consequential amendments in the Delimitation Act, 2002 were required to be made. In this context, members of Parliament, during the consideration of the aforesaid constitutional amendment, had expressed the view that the delimitation on the basis of the 2001 census should be completed as soon as possible. The Delimitation Commission also pointed out that the Constitution did not envisage the office of the State Election Commissioner in the case of the States of Meghalaya, Mizoram and Nagaland. It had, therefore, suggested that in the case of these three States, provision for appointment of a nominee of the Governor instead of the State Election Commissioner, may also be provided by amending the Delimitation Act, 2002.

In view of the above considerations and to facilitate continuation of the delimitation exercise on the basis of the 2001 census, as soon as the final figures of the 2001 census were published, the Delimitation (Amendment) Ordinance, 2003 was promulgated on 31 October 2003. The said Ordinance amended the Delimitation Act, 2002 and provided for the (i) delimitation of Assembly and Parliamentary constituencies on the basis of the 2001 census; and (ii) inclusion of the nominees of the Governor of the States of Meghalaya, Mizoram and Nagaland (where no State Election Commissioner exists) in the composition of the Delimitation Commission.

The Delimitation (Amendment) Bill, 2003 which sought to replace the aforesaid Ordinance, was passed by the Lok Sabha and the Rajya Sabha on 9 and 16 December 2003, respectively. It received the President's assent on 1 January 2004.

Demands had been made from time to time in certain quarters for strengthening and amending the Anti-defection Law as contained in the Tenth Schedule to the Constitution of India, on the ground that these provisions had not been able to achieve the desired goal of checking defections. The Tenth Schedule had also been criticized on the ground that it allowed bulk defections while declaring individual defections as illegal. The provision for exemption from disqualification in case of splits as provided in paragraph 3 of the Tenth Schedule to the Constitution had, in particular, come under severe criticism on account of its destabilizing effect on the Government.

The Committee on Electoral Reforms (Dinesh Goswami Committee) in its report of May 1990, the Law Commission of India in its 170th Report on "Reform of Electoral Laws" (1999) and the National Commission to Review the Working of the Constitution (NCRWC) in its report of 31 March 2002 had, *inter alia*, recommended the omission of the said paragraph 3 of the Tenth Schedule to the Constitution pertaining to exemption from disqualification in case of splits. The NCRWC was also of the view that a defector should be penalized for his action by debarring him from holding any public office as a Minister or any other remunerative political post for at least the duration of the remaining term of the existing Legislature or until the next fresh elections, whichever was earlier.

The NCRWC had also observed that abnormally large Councils of Ministers were being constituted by various Governments at the Centre and States and this practice had to be prohibited by law and that a ceiling on the number of

Ministers in a State or the Union Government be fixed at the maximum of 10 per cent of the total strength of the popular House of the Legislature.

The Constitution (Ninety-first Amendment) Bill, 2003, which sought to achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 16 and 18 December 2003, respectively, with appropriate modifications, including raising the ceiling of the strength of the Council of Ministers from 10 to 15 per cent of the strength of the popular House of the Legislature. However, the number of Ministers, including the Chief Minister, in a State shall not be less than twelve. It received the President's assent on 1 January 2004. (The Bill was introduced in the Lok Sabha as "The Constitution (Ninety-seventh Amendment) Bill, 2003. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1).

There had been demands for inclusion of certain languages in the Eighth Schedule to the Constitution. Accordingly, it was proposed to include the Bodo language in the Eighth Schedule to the Constitution. Subsequently, the House amended the Bill to include Dogri, Maithili and Santhali languages also in the Eighth Schedule to the Constitution. The Constitution (Ninety-second Amendment) Bill, 2003 which sought to achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 22 and 23 December 2003, respectively. It received the President's assent on 8 January 2004. (The Bill was introduced in the Lok Sabha as "The Constitution (One-hundredth Amendment) Bill, 2003". The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1).

After the Uttar Pradesh Reorganization Act, 2000 was enacted by the Parliament, the Government of Uttar Pradesh proposed to the Central Government to delete the name of Shri Devendra Shastri from the Fourth Schedule to the said Act as his tenure expired on 5 May 2000, and that he was no longer a sitting member of the Legislative Council of the State of Uttar Pradesh. This was done by issuing the Uttar Pradesh (Removal of Difficulties) Order, 2000 dated 27 October 2000 under sub-section (1) of section 94 of the aforesaid Act. However, another person had already been elected to fill the vacancy caused by the retirement of Shri Devendra Shastri. In view of the above, there had been one hundred members in the Legislative Council of the successor State of Uttar Pradesh on the appointed day, that is, the 9th day of November 2000, as against 99 seats as stated in section 18 of the aforesaid Act. It was, therefore, proposed to substitute section 18 of the Uttar Pradesh Reorganization Act, 2000 with retrospective effect, that is, on and from the 9th day of November, 2000 so as to indicate therein the correct position relating to the actual number of seats in the Legislative Council of Uttar Pradesh. The amendment to entry 8 in the Third Schedule to the Representation of the People Act, 1950 effected by the said section 18 was also consequently proposed to be amended.

Besides substituting section 18 of the Uttar Pradesh Reorganization Act, 2000, it had also become necessary to safeguard the proceedings of the Uttar Pradesh State Legislative Council from being challenged solely on the ground of the infirmity stated above. It was, therefore, proposed to make a provision for validating all things done and all steps taken by the Legislative Council of Uttar Pradesh at all material times.

The Uttar Pradesh Reorganization (Amendment) Bill, 2003, which sought

to achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 19 and 22 December 2003, respectively. It received the President's assent on 7 January 2004.

The Salary, Allowances and Pension of Members of Parliament are regulated by the provisions contained in the Salary, Allowances and Pension of Members of Parliament Act, 1954 and the rules made thereunder. The Joint Committee of both the Houses of Parliament constituted under section 9 of the said Act had made certain recommendations, *inter alia*: (a) to provide pension to all former members of Parliament irrespective of their period of membership of Parliament; (b) to provide for rounding off the period of more than nine months of membership of Parliament to one year for the purpose of determination of additional pension payable to former members of Parliament; (c) to grant family pension for life to the spouse of members of Parliament and to the spouse of former members of Parliament after death of such members and in case there being no spouse of such members, grant of family pension to the dependents of such members; (d) to allow the members of Parliament for air journeys by private airlines for their official purposes; (e) to allow road mileage to the nearest airport for the road journey performed by the members of Parliament from North-eastern States from their residence in their constituency or the State, as the case may be, to the nearest airport, and also to allow similar road mileage to the spouse of such members of Parliament; (f) to allow road mileage to those members of Parliament who resided within a distance of three hundred kms. from Delhi for coming to Delhi by road and also to allow similar road mileage to the spouse of such members of Parliament; (g) to allow travelling allowance to newly elected or nominated members of Parliament, who reach Delhi prior to publication of notification in the Official Gazette for their election or nomination, as the case may be, and also to provide transit accommodation to such members; (h) to allow the spouse or companion or relative of the ailing members of Parliament for air travel to join such members subject to adjustment of such air journeys of the spouse or relative or companion of the members the thirty-two air journeys entitled in a year to such members; (i) to take over private mobile phones of members of Parliament in their capacity as such, and also to allow national roaming facility in respect of mobile phone connections of the Mahanagar Telephone Nigam Limited and Bharat Sanchar Nigam Limited; (j) to allow to use any number of telephones for availing one lakh fifty thousand free local telephone calls available to members of Parliament in a year subject to the condition that rental charges of more than three telephone connections shall be borne by the members of Parliament; and (k) to allow carry forward of unutilized telephone calls entitled to the members of Parliament pertaining to the preceding year for adjustment during the subsequent years.

The Union Government accepted all the above recommendations with the following modifications, namely:-

(i) it granted pension of Rs.3,000/- per month to all former members of Parliament irrespective of their period of membership of Parliament; (ii) it increased the family pension from Rs.1,000/- per month to Rs.1,500/- per month to the spouse or dependent of a deceased member for a period of five years from the date of his death; (iii) it allowed the members to travel by private airlines also for their official journeys and claim airfare and one-fourth

of airfare as incidental charges; (iv) it allowed transit accommodation for a period not exceeding ten days; (v) it allowed the spouse or companion of the member of Parliament to perform maximum eight journeys by air to join such member subject to adjustment of such air journeys of the spouse or companion of the member against the thirty-two air journeys entitled in a year to such member; (vi) it defined the dependent for the purposes of grant of family pension; (vii) it allowed a member to use any number of telephone calls for availing one lakh fifty thousand free local telephone calls available to a member of Parliament in a year subject to the condition that the telephone should be in his name and the rental charges are paid by him; (viii) it allowed take over of private mobile phones subject to the condition that registration and rental charges for their private mobile phones shall be borne by the concerned members of Parliament but the telephone calls from such private mobile phones may be adjusted against the entitled telephone calls in a year; (ix) it allowed carry forward of unutilized free local calls commencing from 1 April 2002 for adjustment to any succeeding year.

The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 2003, which sought to achieve the above objects, was passed by the Lok Sabha and the Rajya Sabha on 22 and 23 December 2003, respectively. It received the President's assent on 9 January 2004. The relevant rules were subsequently amended to give effect to the recommendations.

The item relating to "taxes on services" was not specifically mentioned in any entry either in the Union List or in the State List of the Seventh Schedule of the Constitution. The Parliament had the exclusive power to make laws with respect to entry 97 of the Union List for any other matters not enumerated in List II or List III, including any tax not mentioned in either of those Lists. In exercise of this power, the Central Government had periodically taxed certain services at the rate of five per cent, *ad valorem*.

The States had taken a unanimous decision to replace their existing sales tax system with the system of Value Added Tax (VAT) from 1 April 2003. In this context, with a view to widening their tax base, the States had suggested that they should be enabled to collect and appropriate tax on services.

The "Service" sector accounted for 48.5 per cent of the country's Gross Domestic Product (GDP) in the financial year 2000-2001. The Expert Committees set up by the Central Government had repeatedly recommended taxation of services. On the basis of the deliberations between the State Governments and the Central Government and in view of the recommendations of various Expert Committees, it was proposed to suitably amend the Constitution to provide: (i) tax on services as a specific entry in the Union List; (ii) insertion of a new article, namely, article 268A; and (iii) consequential amendment to article 270, to enable the Parliament to formulate by law the principles for determining the modalities of levying the said tax by the Union Government and collection of the proceeds thereof by the Union Government and the States.

The Constitution (Eighty-eighth Amendment) Bill, 2003 which sought to achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 6 and 8 May 2003, respectively. It was ratified by the Legislatures of not less than one-half of the States. It received the President's assent on

15 January 2004. (The Bill was introduced in the Lok Sabha as "The Constitution (Ninety-fifth) Amendment Bill, 2003". The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1).

We reproduce here the texts of the above Acts.

—Editor

THE REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT) ACT, 2003

An Act further to amend the Representation of the People Act, 1950 *and the Representation of the People Act,* 1951.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:–

CHAPTER I

PRELIMINARY

1. *Short title and commencement:* (*1*) This Act may be called the Representation of the People (Second Amendment) Act, 2003.

(*2*) It shall be deemed to have come into force on the 29th day of October, 2003.

CHAPTER II

AMENDMENT OF THE REPRESENTATION OF THE PEOPLE ACT, 1950

2. *Amendment of section 13AA of Act 43 of 1950:* In section 13AA of the Representation of the People Act, 1950, in sub-section (*1*), the words "other than a Union territory," shall be omitted.

CHAPTER III

AMENDMENT OF THE REPRESENTATION OF THE PEOPLE ACT, 1951

3. *Amendment of sections 26 and 78 of Act 43 of 1951:* In the Representation of the People Act, 1951,—

(*a*) In section 26, sub-section (*5*) shall be omitted;

(*b*) In section 78, sub-section (*2*) shall be omitted.

4. *Repeal and saving:* (*1*) The Representation of the People (Amendment) Ordinance, 2003 is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken

under the Representation of the People Act, 1950 and the Representation of the People Act, 1951 as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts, as amended by this Act.

THE DELIMITATION (AMENDMENT) ACT, 2003

An Act to amend the Delimitation Act, 2002.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement:* (*1*) This Act may be called the Delimitation (Amendment) Act, 2003.

(*2*) It shall be deemed to have come into force on the 31st day of October, 2003.

2. *Amendment of section 3:* In section 3 of the Delimitation Act, 2002 (hereinafter referred to as the principal Act), for the *Explanation,* the following *Explanation* shall be substituted, namely:—

"*Explanation.*—For the purposes of clause (*c*), the State Election Commissioner of concerned State,—

(*i*) in respect of the duties of the Commission relating to a State (other than the States of Meghalaya, Mizoram and Nagaland), means the State Election Commissioner appointed by the Governor of that State under clause (1) of article 243K; and

(*ii*) in respect of the duties of the Commission relating to the State of Meghalaya or the State of Mizoram or the State of Nagaland, as the case may be, means a person nominated by the Governor of that State for such purposes.".

3. *Amendment of section 4:* In section 4 of the principal Act, in subsection (*2*), for the figures "1991", the figures "2001" shall be substituted.

4. *Amendment of section 8:* In section 8 of the principal Act,—

(*i*) In clause (*a*), for the figures "1991", the figures "2001" shall be substituted;

(*ii*) In clause (*b*), for the figures "1991", the figures "2001" shall be substituted.

5. *Amendment of section 9:* In section 9 of the principal Act, in subsection (*1*), for the figures "1991", and figures "2001" shall be substituted.

6. *Repeal and saving:* (*1*) The Delimitation (Amendment) Ordinance, 2003 is hereby repealed.

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

THE CONSTITUTION (NINETY-FIRST AMENDMENT) ACT, 2003

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Constitution (Ninety-first Amendment) Act, 2003.

2. *Amendment of article 75:* In article 75 of the Constitution, after clause (1), the following clauses shall be inserted, namely:—

"(1A) The total number of Ministers, including the Prime Minister, in the Council of Ministers, shall not exceed fifteen per cent of the total number of members of the House of the People.

(1B) A member of either House of Parliament belonging to any political party who is disqualified for being a member of that House under paragraph 2 of the Tenth Schedule shall also be disqualified to be appointed as a Minister under clause (1) for duration of the period commencing from the date of his disqualification till the date on which the term of his office as such member would expire or where he contests any election to either House of Parliament before the expiry of such period, till the date on which he is declared elected, whichever is earlier.".

3. *Amendment of article 164:* In article 164 of the Constitution, after clause (1), the following clauses shall be inserted, namely:—

"(1A) The total number of Ministers, including the Chief Minister, in the Council of Ministers in a State shall not exceed fifteen per cent of the total number of members of the Legislative Assembly of that State:

Provided that the number of Ministers, including the Chief Minister, in a State shall not be less than twelve:

Provided further that where the total number of Ministers, including the Chief Minister, in the Council of Ministers in any State at the commencement of the Constitution (Ninety-first Amendment) Act, 2003 exceeds the said fifteen per cent or the

number specified in the first proviso, as the case may be, then, the total number of Ministers in that State shall be brought in conformity with the provisions of this clause within six months from such date as the President may by public notification appoint.

(1B) A member of the Legislative Assembly of a State or either House of the Legislature of a State having Legislative Council belonging to any political party who is disqualified for being a member of that House under paragraph 2 of the Tenth Schedule shall also be disqualified to be appointed as a Minister under clause (1) for duration of the period commencing from the date of his disqualification till the date on which the term of his office as such member would expire or where he contests any election to the Legislative Assembly of a State or either House of the Legislature of a State having Legislative Council, as the case may be, before the expiry of such period, till the date on which he is declared elected, whichever is earlier.".

4. *Insertion of new article 361B: Disqualification for appointment on remunerative political post:* After article 361A of the Constitution, the following article shall be inserted, namely:—

'361B. A member of a House belonging to any political party who is disqualified for being a member of the House under paragraph 2 of the Tenth Schedule shall also be disqualified to hold any remunerative political post for duration of the period commencing from the date of his disqualification till the date on which the term of his office as such member would expire or till the date on which he contests an election to a House and is declared elected, whichever is earlier.

Explanation.—For the purposes of this article,—

(*a*) the expression "House" has the meaning assigned to it in clause (*a*) of paragraph 1 of the Tenth Schedule;

(*b*) the expression "remunerative political post" means any office—

(*i*) under the Government of India or the Government of a State where the salary or remuneration for such office is paid out of the public revenue of the Government of India or the Government of the State, as the case may be; or

(*ii*) under a body, whether incorporated or not, which is wholly or partially owned by the Government of India or the Government of a State and the salary or remuneration for such office is paid by such body,

except where such salary or remuneration paid is compensatory in nature.'.

5. *Amendment of the Tenth Schedule:* In the Tenth Schedule of the Constitution,—

(*a*) in paragraph 1, in clause (*b*), the words and figure "paragraph 3 or, as the case may be," shall be omitted;

(*b*) in paragraph 2, in sub-paragraph (1), for the words and figures "paragraphs 3, 4 and 5", the words and figures "paragraphs 4 and 5" shall be substituted;

(*c*) paragraph 3 shall be omitted.

THE CONSTITUTION (NINETY-SECOND AMENDMENT) ACT, 2003

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Constitution (Ninety-second Amendment) Act, 2003.

2. *Amendment of Eighth Schedule:* In the Eighth Schedule to the Constitution,—

(*a*) existing entry 3 shall be re-numbered as entry 5, and before entry 5 as so re-numbered, the following entries shall be inserted, namely:—

"3. Bodo.

4. Dogri.";

(*b*) existing entries 4 to 7 shall respectively be re-numbered as entries 6 to 9;

(*c*) existing entry 8 shall be re-numbered as entry 11 and before entry 11 as so re-numbered, the following entry shall be inserted, namely:—

"10. Maithili.";

(*d*) existing entries 9 to 14 shall respectively be re-numbered as entries 12 to 17;

(*e*) existing entry 15 shall be re-numbered as entry 19 and before entry 19 as so re-numbered, the following entry shall be inserted, namely:—

"18. Santhali.";

(*f*) existing entries 16 to 18 shall respectively be re-numbered as entries 20 to 22.

THE UTTAR PRADESH REORGANISATION (AMENDMENT) ACT, 2003

An Act to amend the Uttar Pradesh Reorganisation Act, 2000.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Uttar Pradesh Reorganisation (Amendment) Act, 2003.

2. *Substitution of section 18 of Act 29 of 2000:* For section 18 of the Uttar Pradesh Reorganisation Act, 2000, the following section shall be substituted and shall be deemed to have been substituted with effect from the 9th day of November, 2000, namely:—

> '18. *Legislative Council of Uttar Pradesh:* On and from the appointed day, there shall be one hundred seats in the Legislative Council of Uttar Pradesh, and in the Third Schedule to the Representation of the People Act, 1950, for the existing entry 8, the following entry shall be substituted, namely:—
>
> "8. Uttar Pradesh ..... 100 36 8 8 38 10".'.

3. *Validation of acts and proceedings of the Uttar Pradesh Legislative Council during certain period:* All things done and all steps taken by the Legislative Council of Uttar Pradesh during the period commencing on the 9th day of November, 2000 and ending on the day on which the Uttar Pradesh Reorganisation (Amendment) Bill, 2003 receives the assent of the President shall be deemed to have been validly and effectively done or taken as if the provisions of section 18 of the Uttar Pradesh Reorganisation Act, 2000, as substituted by section 2 of this Act were in force at all material times such things were done or such steps were taken.

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 2003

An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title:* This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2003.

2. *Amendment of section 2:* In section 2 of the Salary, Allowances

and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), after clause (*a*), the following clause shall be inserted, namely:—

'(*aa*) "dependent" means any of the following relatives of a deceased member, namely:—

(*i*) a minor legitimate son, and an unmarried legitimate daughter and a widowed mother; or

(*ii*) if wholly dependent on the earnings of the member at the time of his death, a son or a daughter who has attained the age of eighteen years and who is infirm; or

(*iii*) if wholly or in part dependent on the earnings of the member at the time of his death,—

(*a*) the parent; or

(*b*) a minor brother or an unmarried sister; or

(*c*) a widowed daughter-in-law; or

(*d*) a minor child of a pre-deceased son; or

(*e*) a minor child of a pre-deceased daughter where no parent of the child is alive; or

(*f*) the paternal grandparent if no parent of the member is alive; or

(*g*) such other person as may be specified by the rules made under section 9 by the Joint Committee;'.

3. *Amendment of section 4:* In section 4 of the principal Act,—

(*a*) in sub-section (*2*), after the second proviso, the following provisos shall be inserted, namely:—

"Provided also that in case a member resides within a distance or three hundred kilometers from Delhi, he or his spouse, for the journey performed by him by road, may draw the mileage allowance referred to in sub-clause (*ii*) of clause (*c*) of sub-section (*1*) in place of the travelling allowance which would have been admissible to him had he performed such journey by rail or by road, as the case may be:

Provided also that in case a member resides in the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim or Tripura, he or his spouse may draw the mileage allowance referred to in sub-clause (*ii*) of clause (*c*) of sub-section (*1*) for journey performed by him by road from his residence in any of the said States to the nearest airport.";

(*b*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*4*) There shall be paid to a person—

(*a*) who has been elected in a biennial election as a member of the Council of States but the notification in the Official Gazette notifying his name under section 71 of the Representation of the People Act, 1951 has not been published in the Official Gazette; or

(*b*) who has been elected as a member of the House of the People in a general election held for the purpose of constituting a new House of the People but the notification in the Official Gazette notifying his name under section 73 of the Representation of the People Act, 1951 has not been published in the Official Gazette; or

(*c*) who has been elected in a bye-election as a member of either House of Parliament or nominated as a member to either House of Parliament,

an amount equivalent to the fare in respect of every journey performed by him for coming to Delhi before the publication of notification referred to in clause (*a*) or clause (*b*), or election or nomination under clause (*c*):

Provided that in case the journey is performed by rail or steamer or road, he shall be entitled to the reimbursement of the fare or road mileage to which a member is entitled:

Provided further that in case he performs the journey by air, such journey shall be included for the purpose of counting thirty-two journeys referred to in the first proviso to sub-section (*2*) of section 5.".

4. *Amendment of section 5:* In section 5 of the principal Act, in sub-section (*2*), after the second proviso, the following proviso shall be inserted, namely:—

"Provided also that the spouse or companion of a member, as the case may be, may alone perform maximum eight journeys by air from any place of India to the place in India for the purpose of visiting such member and such journey shall be included for the purpose of counting thirty-two journeys referred to in the first proviso to sub-section (*2*).".

5. *Insertion of new section 5A:* After section 5 of the principal Act, the following section shall be inserted, namely:—

'5A. *Transit accommodation:* Where a person referred to in sub-section (*4*) of section 4 comes to Delhi, he shall be entitled to such transit accommodation for such period as may be specified by the rules made under clause (*ccc*) of sub-section (*3*) of section 9 by the Joint Committee.'.

6. *Amendment of section 8A:* In section 8A of the principal Act, for sub-section (*1*) and (*1A*), the following sub-sections shall be substituted, namely:—

'(*1*) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2003, there shall be paid a pension of three thousand rupees per mensem to every person who has served for any period, as a member of the Provisional Parliament or either House of Parliament:

Provided that where any person has served as a member of the Provisional Parliament of either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of six hundred rupees per mensem for every year in excess of five years.

Explanation.—For the purpose of this sub-section, "Provisional Parliament" shall include the body which functioned as the Constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.

(*1A*) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2003, there shall be paid a pension of rupees one thousand and five hundred per mensem, to the spouse, if any, or dependent of any member who dies during his term of office as such member, for a period of five years from the date of his death.

Explanation.—For the removal of doubts, it is hereby declared that the spouse or the dependent of the member referred to in this sub-section shall be entitled to receive the family pension even if the member has died on or before the commencement of the Salary, Allowances, and Pension of Members of Parliament (Amendment) Act, 2003.'.

7. *Substitution of new section for section 8AA:* For section 8AA of the principal Act, the following section shall be substituted, namely:—

"8AA. *Travel facilities to ex-members:* Every person who is not a sitting Member but has served for any period as a Member of either House of Parliament shall be,—

(*a*) with effect from the 18th day of January, 1999, entitled along with a companion to travel in any train by any railway in India in air-conditioned two-tier class; or

(*b*) entitled to travel alone in any train by any railway in India in air-conditioned first class,

without payment of any charges on the basis of an authorisation

issued for this purpose by the Secretariat of either House of Parliament as the case may be.".

8. *Insertion of new section 8AB:* After section 8AA of the principal Act, the following section shall be inserted, namely:—

"8AB. *Rounding off period of pension:* Where the period for which the pension is payable under this Act contains a part of a year, then, if such part is nine months or more, it shall be reckoned equivalent to complete one year for the purpose of payment of additional pension under sub-section (*1*) of section 8A and if such part is less than nine months, it shall be ignored.".

9. *Amendment of section 9:* In section 9 of the principal Act, in sub-section (*3*),—

(*i*) after clause (*a*), the following clause shall be inserted, namely:—

"(*aa*) the person who may be specified as dependent under sub-clause (*g*) of clause (*aa*) of section 2;";

(*ii*) after clause (*cc*), the following clause shall be inserted, namely:—

"(*ccc*) the transit accommodation and the period for which such accommodation may be provided under section 5A;";

(*iii*) after clause (*ff*), the following clause shall be inserted, namely:—

"(*fff*) to provide for carry forward of unutilised free telephone calls pertaining to any year beginning on or after the 1st day of April, 2002 to any subsequent year,".

THE CONSTITUTION (EIGHTY-EIGHTH AMENDMENT) ACT, 2003

An Act further to amend the Constitution of India.

BE it enacted by Parliament in the Fifty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement:* (*1*) This Act may be called the Constitution (Eighty-eighth Amendment) Act, 2003.

(*2*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Insertion of new article 268A:* After article 268 of the Constitution, the following article shall be inserted, namely:—

"268A. *Service tax levied by Union and collected and appropriated by the Union and the States:* (*1*) Taxes on services shall be levied by the Government of India and such tax shall be collected and appropriated by the Government of India and the States in the manner provided in clause (*2*).

(*2*) The proceeds in any financial year of any such tax levied in accordance with the provisions of clause (*1*) shall be—

(*a*) collected by the Government of India and the States;

(*b*) appropriated by the Government of India and the States,

in accordance with such principles of collection and appropriation as may be formulated by Parliament by law.".

3. *Amendment of article 270:* In article 270 of the Constitution, in clause (*1*), for the words and figures "articles 268 and 269", the words, figures and letter "articles 268, 268A and 269" shall be substituted.

4. *Amendment of Seventh Schedule:* In the Seventh Schedule to the Constitution, in List 1—Union List, after entry 92B, the following entry shall be inserted, namely:—

"92C. Taxes on services.".

The above Bill has been passed by the Houses of Parliament in accordance with the provisions of article 368 of the Constitution and has also been ratified by the Legislatures of not less than one-half of the States by resolutions to that effect as required under the proviso to clause (*2*) of the said article.

SESSIONAL REVIEW

THIRTEENTH LOK SABHA

FOURTEENTH SESSION (PART II)

The Fourteenth Session of the Thirteenth Lok Sabha commenced on 2 December 2003 and was adjourned *sine die* on 23 December 2003. However, the House was not prorogued. In exercise of the powers conferred on him by Rule 15(1), the Speaker called the House to meet again on 29 January 2004 till 5 February 2004. The Second Part of the Fourteenth Session was adjourned *sine die* on 5 February 2004. The Thirteenth Lok Sabha was dissolved on 6 February 2004. In all, there were 5 sittings in the Second Part of the Fourteenth Session.

A resume of some of the important discussions held and other business transacted during the Second Part of the Fourteenth Session*, from 29 January to 5 February 2004, is given below:

A. DISCUSSIONS/STATEMENTS

The Interim Budget (Railways) 2004-2005: Presenting the Interim Railway Budget in the House on 30 January 2004, the Minister of Railways, Shri Nitish Kumar, placed before the House the Revised Estimates for 2003-2004 and the estimated receipts and expenditure for 2004-2005. He said that while the estimates were for the whole year, he would seek from the House a "Vote on Account" sufficient to provide for the estimated expenditure for the first four months only. The requirements for the remaining part of the year were to be voted separately, later on.

The Minister mentioned some of the areas in which concrete measures had been initiated. He said that the Railways had been able to embark upon the much needed programme of replacement and renewals of over-aged assets with an assured funding through the

* For Sessional Review of the First Part of the Fourteenth Session, *see Journal* (Vol.L, No.1, March 2004), pp. 36-56

Special Railway Safety Fund (SRSF). The launching of the National Rail Vikas Yojana for removal of bottlenecks in the saturated sections of the railway network was yet another initiative. The Technology Mission on Railway Safety announced by the Prime Minister on Independence Day last year aimed at developing and adopting state-of-the-art safety, control and design technologies. The capital component of Railways' Plan Outlay registered a considerable boost which facilitated the completion of a number of projects. Further, the Railways had also embarked on several non-budgetary initiatives, including cost sharing arrangements to raise funds for various projects. With a view to providing better security to passengers, certain amendments had been carried out in the Railways Act and the Railways Protection Force Act in the current Session of Parliament. For the first time, a "Corporate Safety Plan (2003-2013)" of the Indian Railways had been formulated and presented to both Houses of Parliament on 19 August 2003. The safety targets for the Indian Railways as a whole had been laid down. The Zonal Railways and Divisions had geared up to implement the Safety Plan through their detailed action programme. The Indian Railways were well set to achieve substantial reduction in consequential train accidents per million kilometres from 0.44 in 2002-2003 to 0.30 in the next four years, which would be one of the best safety standards obtained in the world's leading railways.

As regards physical progress, out of the targeted track renewal of around 16,500 km through the Special Rail Safety Fund, track renewal of around 8,500 km was expected to be completed by the end of the current year. The rehabilitation of approximately 1,350 of the targeted 2,700 bridges was likely to be completed by the end of the current financial year. Similarly, of the targeted requirement of signaling installations at 1,500 stations, replacement works at 444 stations were likely to be completed by the end of the current year. Further, about 1,675 of the targeted 5,300 track circuits were also likely to be provided by the end of the current year.

The Minister informed the House that a target of 540 million tonnes (MT) of revenue earning freight traffic was laid down for the year 2003-2004. Having loaded 407.15 MT till December 2003, which was higher than the proportionate target, the Railways were hopeful of exceeding the target. Accordingly, the target was being revised to 550 MT. Passenger traffic had recorded a growth of over 2.8 per cent.

The Minister stated that the Railways' Annual Plan for 2003-2004 envisaged a total outlay of Rs.12,918 crore. In the Revised Estimates,

this was increased to Rs.13,918 crore. The increase of Rs.1,000 crore was contributed by the separate allotment of Rs.500 crore for the National Project of Udhampur-Srinagar-Baramulla new line; an additional budgetary support of Rs.300 crore for increasing the pace of completion of certain projects; and an increased outlay of Rs.200 crore in the internally financed segment.

Coming to the Budget Estimates for 2004-2005, the Minister said that the Gross Traffic Receipts for the year at the existing level of fares and freight were estimated at Rs.44,482 crore. This was Rs.1,877 crore more than the Revised Estimates for the current year, and was based on an estimated 3.2 per cent along with in passengers and revenue earning freight traffic of 570 MT, which was 20 MT more than the revised target for 2003-2004. Ordinary Working Expenses were estimated at Rs.32,960 crore, representing an increase of Rs.1,990 crore over the Revised Estimates for the current year. To meet the higher pensionary payments due to increase in the number of pensioners and higher dearness relief, appropriation to the Pension Fund had been enhanced by Rs.300 crore over the Revised Estimates of the current financial year to Rs.6,390 crore. The contribution to the Depreciation Reserve Fund was proposed at Rs.1,900 crore.

The Minister stated that the Total Working Expenses were estimated at Rs.41,250 crore leaving the Net Traffic Receipts of Rs.3,232 crore. A sum of Rs.993 crore was estimated by way of Net Miscellaneous Receipts and this Net Revenue would amount to Rs.4,225 crore. The Dividend to General Revenues for the year 2004-2005 had been computed provisionally on the basis adopted for 2003-2004 and worked out to Rs.3,305 crore which was proposed to be paid fully. In addition, payment of Rs.300 crore was proposed towards deferred dividend liability. With that, the 'Excess' of Receipts over Expenditure worked out to Rs.620 crore.

The Minister stated that the Annual Plan for 2004-2005 had been kept tentatively at Rs.13,425 crore. This included budgetary support of Rs.4,544 crore; internal resources of Rs.2,635 crore; an outlay of Rs.2,795 crore under SRSF; and Rs.401 crore under the Railway Safety Fund. The extra budgetary resources had been budgeted at Rs.3,050 crore.

The Minister informed that the Railways had a large shelf of over 230 projects worth about Rs.43,000 crore for construction of new lines, gauge conversion, doubling, electrification and Metropolitan Transport

Projects. A large number of these had been sanctioned on socio-economic considerations with the intention of connecting remote and backward areas with the rail network. The Minister announced the 'Remote Area Rail Sampark Yojna' with an additional outlay of Rs.20,000 crore. He said that this would go a long way in changing the economic and social scenario of the remote and backward regions of the country and in bringing the people of these areas into the mainstream. He announced that a new series of trains, named 'Sampark Kranti Express', would be introduced to provide quicker connectivity from a particular State to the National Capital with value added features such as non-stop run beyond the State, dedicated staff throughout the run and public address system.

The Minister stated that a large number of initiatives had been taken to improve the quality of service and strengthen safety to meet the expectations and aspirations of the people from this lifeline of the nation. Saying that the House had always extended support to the Railways in fulfilling its role as a vehicle of economic growth and social uplift with financial vibrancy, he commended the Interim Budget to the House.

The discussion on the Interim Budget (Railways) 2004-2005, the Demands for Grants on Account (Railways) 2004-2005, the Supplementary Demands for Grants (Railways) 2003-2004 and the Demands for Excess Grants (Railways) 2001-2002 took place on 3 February 2004. Initiating the discussion, Shri E.M. Sudarsana Natchiappan of the Indian National Congress said that the earnings through passengers for the current year had gone down by Rs.160 crore. He wanted to know as to why there was a fall in revenue from that segment and asked whether it was due to poor management or because people were travelling without tickets. Shri Natchiappan also felt that backward areas should be given more attention as the produce from agriculture, small-scale industries and medium industries were transported by rail. Whatever facilities were given by the Government of India, whether it was for four-laning of road facilities or facilities for airports or railways, everything was now focused towards the cities. As ninety per cent of the people lived in rural areas and remote places, he felt that the Railways should pay more attention to them. He stated that the railway lines, already available, were now loaded with more trains and suggested that there should be a separate track for cargo trains.

Participating in the discussion*, Shri Chandrakant Khaire of the Shiv Sena said that Rs.301 crore had been allocated for five projects of the Marathwada region. Stating that about Rs.949 crore were required for these projects, he requested that Rs.1,000 crore be allocated for the same. He suggested that the Railway Recruitment Board should be constituted on the basis of language and region and regional languages should be given priority so that the people of the particular area could be benefited.

Dr.(Smt.) V. Saroja (AIADMK) suggested that the Government should work out modalities to complete all the pending projects. She added that the Budget allocation should also be done accordingly so that the projects were completed on time.

Dr. Raghuvansh Prasad Singh (RJD) thanked the Minister for fulfilling the long pending demand of the Buddhist Circuit which was to be inaugurated by the Prime Minister on 10 February 2004.

Sardar Simranjit Singh Mann (SAD-SS Mann) wanted that there should be a rail line along the Indo-Pak border from Ferozpore to Amritsar. He requested that the Chandigarh-Ludhiana rail line be expeditiously completed.

Shri Haribhau Shankar Mahale (JD-Secular) said that the Manmad, Malegaon, Dhulia, Nardana and Indore railway line had been surveyed and requested that sanction should be made for the same.

Replying to the discussion, the Minister of Railways, Shri Nitish Kumar, said that though the revenue had fallen short of estimates, the expenditure incurred was also less in comparison to the estimated expenditure. In terms of freight loading and passenger traffic, improvement had been witnessed and the economic position of the Railways was improving. The Minister stated that the rate of accidents was declining and the target had been to remove the chances of accidents totally. During the next one year, in the entire broad gauge network of the North-east Frontier Railway, Anti-Collision Device (ACD) would be installed and during the next five years, the entire broad gauge railway

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* Others who participated in the discussion were: Sarvashri V. Dhananjaya Kumar, Basudeb Acharia, Bal Krishna Chauhan, Prabhunath Singh, Adhir Chowdhury, Nikhil Kumar Choudhary, Chandra Bhushan Singh, Trilochan Kanungo, Sudip Bandyopadhyay, P.S. Gadhavi, Khagen Das, Nawal Kishore Rai, Prabodh Panda, Rampal Singh, Shankar Prasad Jaiswal, Ramesh Chennithala, K.H. Muniyappa, Praveen Rashtrapal, Bikram Keshari Deo, Manikrao Hodlya Gavit, Vinay Kumar Sorake, Manjay Lal, Lal Bihari Tiwari, Salkhan Murmu, Ratilal Kalidas Varma, Srichand Kripalani, P.H. Pandian, Sontosh Mohan Dev, Bir Singh Mahato, Pusp Jain, Braj Mohan Ram, Kunwar Akhilesh Singh, Dr. Mahendra Singh Pal, Dr. M.V.V.S. Murthi, Dr. Laxminarayan Pandey, Dr. K. Malaisamy, Dr. Nitish Sengupta, Prof. Rasa Singh Rawat, Prof. A.K. Premajam and Smt. Renu Kumari

network of the Indian Railways would be provided with ACD. He said that the Remote Areas Linkages Railway Scheme, besides generating employment avenues, would also provide rail connectivity. Through allocation of additional outlay for the scheme, all the projects would be completed within the next five years.

The Minister said that the issue of railway security was a matter of grave concern and that security must be improved. The Government Railway Police (GRP) was set up by the State Governments, and the Railways bore half of the expenditure in that regard. With the amendment of the Railway Protection Force Act and the Railway Act, the RPF would be entrusted with the task of providing security to the passengers, keeping a watch on the Railway premises and also directly prosecuting the offenders.

All the Demands for Grants on Account (Railways) 2004-2005; all the Supplementary Demands for Grants (Railways) 2003-2004; and the Demands for Excess Grants (Railways), 2001-2002 were voted in full. The Appropriation (Railways) Vote on Account Bill, 2004; the Appropriation (Railways) Bill, 2004; and the Appropriation (Railways) No.2, Bill, 2004 were passed.

The Interim Budget (General) 2004-2005: Presenting the Interim Budget in the House on 3 February 2004, the Minister of Finance, Shri Jaswant Singh, said that the Interim Budget, which was for part of the fiscal year 2004-05, sought a Vote-on-Account to enable the Government to discharge its responsibilities and to meet all the essential expenditure during the first four months of 2004-05. The Demands for Grants and the Annual Financial Statement presented were, however, for the full Financial Year, though these could be revised, as was normal, at the time of presentation of the regular Budget. He also introduced the Finance Bill, seeking to continue the existing tax structure for the present.

The Minister said that this was the seventh successive Budget of the National Democratic Alliance (NDA) Government, under the leadership of Shri Atal Bihari Vajpayee. On the occasion, he said that he shared with the country and the House a sense of great satisfaction at the robust showing of the national economy, and also expressed sincere gratitude for the cooperation, support and encouragement that the people of India had so consistently and so ungrudgingly given to the NDA and to its Government. The country's macro-economic situation was better than it had ever been in the last fifty years. Internationally too, there was now much greater and widespread recognition that India

was progressing in all spheres of national endeavour, that it had evolved into a stable economy, with assured growth, and enhanced national prosperity.

The Government had consistently placed the citizens' well being at the core of its responsibilities. Its adherence to '*Panch priorities*' remained; the objectives of the life-time concerns of the citizens, *viz.* enhanced employment and eradication of poverty; a second Green Revolution in agriculture; infrastructure development; fiscal consolidation; and greater manufacturing sector efficiency, had been its solemn commitments.

The Minister stated that the economic growth indices in the current year were very encouraging. With inflation at 4 to 4.5 per cent, the growth rate of GDP was expected to be between 7.5 and 8 per cent in the current year. Employment had increased, but so had expectations. This challenge had to be met. Bold initiatives in infrastructure had already generated several layers of immediate employment, simultaneously laying the foundation for additional quality employment across a broad spectrum of economic activity. The country's foreign exchange reserves crossed US$100 billion on 19 December 2003. For greater openness and to share necessary information with citizens, the first ever Report of the Reserve Bank of India (RBI) on Foreign Exchange Reserves was being released. A combination of moderate inflation, declining interest rates, and healthy capital markets had set the economy on the path of accelerated growth. Preserving the strength of the country's macro-economic fundamentals had, therefore, to be much more focused. Management of the economy was a continuing responsibility, governance could neither pause nor cease, and measures to fully consolidate, and continuously enhance the growth momentum must always be adopted in time. Only in that manner could India realise the vision of economic and social progress that it had cherished since Independence, the Minister said.

Coming to initiatives and mapping the road ahead, the Minister announced several reform measures. He said that the *Antyodaya Anna Yojana*, launched by the Prime Minister in December 2000, currently covered 1.5 crore families below poverty line (BPL). The programme was now being extended by increasing its coverage to 2 crore BPL families. Under the *Pradhanmantri Swasthya Suraksha Yojana*, six speciality hospitals were envisaged along the lines of the All India Institute of Medical Sciences in the States of Bihar, Chhattisgarh, Madhya Pradesh, Orissa, Rajasthan and Uttaranchal. Besides, one medical college each in the six States of Andhra Pradesh, Jammu and

Kashmir, Jharkhand, Tamil Nadu, Uttar Pradesh and West Bengal would also be upgraded to the level of AIIMS. The Government would ensure timely availability of credit at affordable rates to farmers and other citizens in rural India. Recognising the vital role of co-operative banks in the delivery of rural credit, a scheme had been envisaged to revitalize the cooperative credit structure with an outlay of Rs.15,000 crore, to be shared between the Central and State Governments in an appropriate ratio. The Minister stated that the current economic growth pattern required continuous and added investment. For that, finance had to be made available on time, at reasonable rates and in a coordinated manner. The Industrial Development Bank of India (IDBI) and the Industrial Finance Corporation of India (IFCI) would be restructured. The Agricultural Infrastructure Fund would be operational shortly.

For the modernization of Defence, the Minister announced a non-lapsable Defence Modernization Fund of Rs.25,000 crore. For the welfare of employees, the Government had decided that ,Dearness Allowance to the extent of 50 per cent of pay would be merged with basic pay with effect from 1 April 2004. The Minister also stressed on necessary changes in Income Tax procedures which required the amendment of the Income Tax Act. He said that the move towards an improved tax administration through greater application of IT, and a discretion-free impersonal system with lower compliance costs must continue.

Coming to the Revised Estimates for 2003-2004, the Minister stated that the Revised Estimates showed a net decrease in expenditure of Rs.11,143 crore as compared to the Budget Estimates. This reduction in expenditure had been achieved despite additional expenditure on Rural Development, the *Sarva Shiksha Abhiyan*, the Delhi Metro Rail Project and an additional budgetary support for the Railways. The net tax revenues for the Centre were estimated at Rs.1,87,539 crore compared to the Budget Estimate of Rs.1,84,169 crore, an increase of Rs.3,370 crore. Non-tax revenue was estimated at Rs.75,488 crore, Rs.5,722 crore more than the estimated level of Rs.69,766 crore. Disinvestment receipts, at Rs.14,500 crore, were also higher than the Budget Estimate of Rs.13,200 crore. The revised revenue receipts of the Centre were estimated at Rs.2,63,027 crore, the fiscal deficit at Rs.1,32,103 crore which was 4.8 per cent of the estimated GDP and the revenue deficit at Rs.99,860 crore which was 3.6 per cent of the estimated GDP.

Coming to the Budget Estimates for 2004-2005, the Minister stated that the total expenditure was estimated at Rs.4,57,434 crore, of which

Rs.1,35,071 crore was for Plan and Rs.3,22,363 crore for non-Plan. In order to strike the right balance between the developmental needs on the one hand and fiscal stability on the other, the Gross Budgetary Support for Plan 2004-05 had been fixed at Rs.1,35,071 crore. This was Rs.14,097 crore more than last year, indicating an increase of 11.6 per cent. Out of this, an amount of Rs.81,367 crore was being provided as Budget support for Central Plan. This was an increase of Rs.9,215 crore, or 12.8 per cent, over the last year. Similarly, the Central Assistance for State Plans was Rs.53,704 crore, which was Rs.4,882 crore more than the last year. Should need arise for new schemes, such as Providing Urban Amenities in Rural Areas, the Minister stated that the Government would then provide additional allocations for such schemes. The Budget Estimates for 2004-2005 showed a net increase of Rs.16,218 crore in non-plan expenditure. The increase was mainly in interest payments and debt servicing (Rs.4,945 crore), defence (Rs.5,700 crore), grants and loans to State Governments (Rs.4,110 crore) and food subsidy (Rs.2,600 crore).

With these proposals, the Minister estimated the total revenue receipts of the Centre at Rs.2,90,882 crore, the fiscal deficit at Rs.1,36,452 crore, which was 4.4 per cent of the estimated GDP and the revenue deficit at Rs.89,860 crore, which was 2.9 per cent of the estimated GDP.

The Minister stated that the NDA Government, since 19 March 1998, had successfully weathered the post-Pokhran economic sanctions; the East Asian crisis; at least two major destructive cyclones; an unprecedented drought; the devastating Bhuj earthquake; two border stand-offs; the challenge of terrorism and insurgency; the Gulf war; a global downturn; uncertainty in oil prices, all these and much more. He said that national contentment, national confidence, and India's collective resolve for achieving even higher growth had now taken firm root and commended the Interim Budget to the House.

The combined discussion on the Interim Budget (General) 2004-2005; the Demands for Grants on Account (General) 2004-2005; and the Supplementary Demands for Grants (General) 2003-2004 took place on 4 February 2004. Initiating the discussion in the House, the Leader of the Opposition, Smt. Sonia Gandhi of the Indian National Congress said that the way the Government had summoned the Session showed that it had the least respect for the Constitution and parliamentary conventions. The manner in which public money was being spent on pamphlets and posters pertaining to the Government's 'feel good factor' had hurt the psyche of the common people.

Smt. Gandhi said that though the Government had made tall claims about economic growth, the agricultural and industrial growth rate had registered a downward trend and unemployment had increased drastically contrary to its claims. The Government claimed to have maintained peace and tranquillity in the entire country, but the issue of social justice had been put on the back burner and had been severely affected under the present Government. So far as empowerment of women was concerned, she said that the Government could not pass the 'Women Reservation Bill' despite the full support of her party.

Smt. Gandhi said that all parties were going to the hustings shortly. She, on behalf of her party, said that the role played by her party in the Opposition was a positive one and expressed her satisfaction over it. But she said that the Government had not done much to bring about a consensus on contentious issues. She added that her party was committed to launch an election campaign which would reflect the real concerns of the people, thereby ultimately strengthening the unity and integrity of the nation.

Participating in the discussion*, Dr.(Smt.) V. Saroja (AIADMK) urged the Government to increase the allotment of foodgrain to the poor from 5 kg to 10 kg. She expressed doubt on whether the Government had identified the BPL families properly or not. Due to lack of basic statistics, the Government had been unable to properly plan for the BPL families. She expressed her happiness over the Budget which undertook to provide a major thrust to infrastructure, particularly roads, railways, airports and seaports through innovative funding mechanisms.

Shri Rashid Alvi (Bahujan Samaj Party) said that the Government was under the illusion that it would win the elections with the help of the present Budget. He said that the Budget was not going to help the country, the poor and the farmer.

Dr. Raghuvansh Prasad Singh (RJD) said that a great economic progress had been proclaimed but India still had a fiscal deficit of Rs.1.36 lakh crore. He added that there was a great crisis in the country due to regional disparities and that it was essential to put an end to them.

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* Others who participated in the discussion were: Sarvashri Prakash Paranjpe, Rupchand Pal, Girdhari Lal Bhargava, Kirit Somaiya, Priya Ranjan Dasmunsi, Salkhan Murmu, Vinay Kumar Sorake, Trilochan Kanungo, Kharabela Swain, Pawan Kumar Bansal, Ram Jeevan Singh, Prabodh Panda, Anadi Sahu, P.H. Pandian, Rattan Lal Kataria, Kunwar Akhilesh Singh, Dr. Mahendra Singh Pal and Prof. V.K. Malhotra

Shri Prakash Yashwant Ambedkar (Bharipa Bahujan Mahasangh) said that the Government had shown Rs.1,24,000 crore as market borrowing in the Budget. He was of the view that if that volume of currency was borrowed in the form of bonds or debentures, there would be shortage of currency in the market, which would lead to inflation.

Shri Haribhau Shankar Mahale (JD-Secular) said that eleven districts of Maharashtra State were facing drought. The State Government had demanded an assistance of Rs.1,200 crore, but only Rs.50 crore had been given. He requested the Government to provide more funds to Maharashtra for that purpose.

Shri K. Francis George (Kerala Congress) thanked the Finance Minister for announcing certain measures to help the agriculture sector which was one of the most important sectors of the country.

Replying to the discussion, the Minister of Finance, Shri Jaswant Singh, said that the allocation for agriculture had been enhanced from Rs.4,752 crore to Rs.6,823 crore. The Farm Income Insurance Scheme, introduced earlier on pilot basis in 20 districts, was now being extended to cover hundred districts. Kisan Credit Cards would be given to all eligible farmers before the end of the current fiscal year. The Government had been able to reduce the fiscal deficit from 5.9 per cent last year to 4.8. The allocation for *Sarva Shiksha Abhiyan* had been enhanced from Rs.1,950 crore in the Budget Estimates of 2003-2004 to Rs.3,057 crore for the next year. The non-Plan expenditure was expected to grow by only two per cent whereas the Plan expenditure was expected to grow by eleven per cent. The Government would improve the conditions of 70 per cent of the citizens who live in the rural areas and contribute to a quarter of our GDP.

The Minister said that the Indian market today was attracting international interest and other countries were actually looking at the Indian system of settlement, clearing, risk management, etc. for adoption in their countries. The Nagpur Airport would be made an international airport. The Defence outlay of Rs.63,000 crore in the Revised Estimates of 2003-2004 had been increased to Rs.66,000 crore. Further, the Minister said that a Defence Modernization Fund of Rs.25,000 crore was being established.

All the Demands for Grants on Account (General) 2004-2005 and all the Supplementary Demands for Grants (General) 2003-2004 were voted in full.

Thereafter, the Minister of Finance moved the motions for the consideration of the Appropriation (Vote on Account) Bill, 2004; the

Appropriation Bill, 2004; and the Finance Bill, 2004. The motions were adopted and the Bills were passed.

Discussion under rule 193 regarding plight of farmers, youth and working class both in the organised and unorgansied sectors: Initiating the discussion in this regard on 5 February 2004, Shri Tarit Baran Topdar of the Communist Party of India (Marxist) said that crores of youth had become unemployed and lakhs of workers had lost their jobs. The Government had brought down subsidy in agriculture. There was no way the Government could generate employment after the closure of 40 per cent of the small-scale industries. All the industries would be closed down one after the other because foreign capital investment had been allowed even in small-scale industries. The number of unemployed youth, registered in different employment exchanges, was more than four crores. The Government had promised to provide one crore jobs each year. This had proved to be far from truth but misleading statements were given that indirect employment had been generated. He said that the Government took a hasty decision with regard to quantitative restrictions under the WTO regime which adversely affected the farmers. While interest rates had been slashed down for the affluent sections of the society, he said that loans were extended at a whopping 12 to 14 per cent interest rates in the agriculture sector.

Participating in the discussion*, Dr. (Smt.) V. Saroja of the AIADMK said that even after making so much allocation of money there was no proper coordination between various Departments of the Government. It was due to this reason that no definite solution to problems had been found. Saying that self-help groups had been created for the empowerment of women, she suggested that their services should be properly utilized.

Replying to the discussion, the Minister of Agriculture and Minister of Food Processing Industries, Shri Rajnath Singh, stated that the development of the country would not be possible until and unless the agriculture sector was developed. After coming to power, the Government started paying attention towards small irrigation projects and allocated sufficient funds for accelerated irrigation schemes. The Government expressed its concern towards bio-fertilizers and organic farming and set up around 182 bio-fertilizer units having a capacity to produce 18,000 metric tonnes of bio-fertilizers. The Government had

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* Others who participated in the discussion were Sarvashri Anadi Sahu, Shivraj V. Patil, Rattan Lal Kataria, Bal Krishna Chauhan, Ramjivan Singh, Mani Shankar Aiyar, Arun Kumar, Ramdas Athawale and Prof. Rasa Singh Rawat

taken up the river linkage project to make use of the flood waters for irrigation purposes. A new power project of 18,000 MW generation capacity had been set up and other power projects were also being set up. For the first time, the rate of interest had been lowered and farmers had to pay a maximum interest rate of only 9 per cent. On charges that India had succumbed to the pressure of the WTO, the Minister stated that India had not compromised with the interest of its farmers. He stated that imports were continuously decreasing whereas exports were increasing and public investment in agriculture had increased tremendously.

Also replying to the discussion, the Minister of Labour, Dr. Sahib Singh Verma, said that the Government had made every effort to prevent the closure of industries and had taken care of the interests of the workers, besides making investment. The Government had set up 16 new model hospitals under the ESI Scheme. It had also made arrangements for expeditious settlement of claims of the workers. For the last few years, arrangements had been made for payment of 9.5 per cent of interest on the Provident Fund deposits. Twenty thousand houses were constructed for *beedi* workers each year during the period. Employees enjoyed the right to strike work. Investment in the country had gone up and the Government had upgraded the training facilities for millions of under-employed and unemployed youth of the country, besides giving them concessions. Child labour was on the rise in the past but had now come down. The Government had given social security cover to people engaged in the unorganized sector. All the agricultural workers, cobblers, washermen, etc. had been included in the category of unorganized sector and given social security cover. The Minister said that the Government would endeavour to introduce the right to work and the right to duty on coming to power again.

B. LEGISLATIVE BUSINESS

*The Foreigners (Amendment) Bill, 2003**: Moving the motion for consideration of the Bill on 30 January 2004, the Minister of State in the Ministry of Home Affairs and Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Shri Harin Pathak said that the Foreigners (Amendment) Bill, 1998 to amend section 14 of the Foreigners Act, 1946 was initially introduced in the Rajya Sabha in July

* The Bill was introduced in the Rajya Sabha on 28 July 1998 and the Bill, as passed by the Rajya Sabha, was laid on the Table on 9 May 2003

1998. Contravention of the provisions of the Foreigners Act, 1946, or of any order made thereunder, or of any direction given in pursuance of that Act or such order, was punishable with imprisonment which may extend to five years and fine. The cases under the Foreigners Act were cognizable, non-bailable and triable by a first class Magistrate. However, the accused persons arrested under the said Act very often managed to obtain bail under section 437 of the Code of Criminal Procedure. Further, the Act also did not classify the violation of the various provisions of the Act or Order made thereunder or of any direction given in pursuance of that Act or such order and only provided for punishment which may extend to five years and fine. The quantum of punishment for various offences was left to the discretion of the court. It was proposed to classify offences under the Foreigners Act and to provide for punishment depending on the gravity of the offence committed. It was also proposed that the maximum punishment under the Act may be upto eight years and fine upto Rs.50,000; serious offences would become triable by the Court of Sessions and the Court would be required to give notice to the State Government thereby affording it an opportunity to oppose the bail application under proviso to sub-section(1) of Section 439 of the Code of Criminal Procedure, 1973.

Participating in the discussion*, Shri G.M. Banatwalla of the Muslim League Kerala State Committee said that almost all categories of offences had been lumped together, without proper consideration. There might be certain reasons for overstaying. There could be certain immigration into the country which may be for the innocent purpose of work. He wanted that such persons should be granted work permits rather than dealt with so harshly under the Bill. He appealed to the Government to withdraw the legislation and come forward with a comprehensive Bill.

Replying to the discussion, the Minister of State in the Ministry of Home Affairs and Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Shri Harin Pathak, said that there were sufficient provisions in the present Act to take care of the concern expressed by the members that genuine people who desired to stay due to situations beyond their control may not get visas and be harassed. The Minister said that for these circumstances, powers had been delegated to the Centre. Such person could apply to the Centre and the

* Others who participated in the discussion were: Sarvashri E.M. Sudarsana Natchiappan, Adhir Chowdhury, Suresh Kurup and Dr. Laxminarayan Pandey

Centre would definitely take care of it. The Minister said that the particular Bill was related to section 14 which the Government wanted to strengthen. Because of lack of power of punishment to the accused persons and such provisions, they were able to get bail in the First Class Magistrate Court. The Government wanted that a person who was guilty of violating the country's rules and regulations of visas should be punished and that he should not get the opportunity of having some windows open in the courts.

The Bill, as amended, was passed.

*The British Statutes (Repeal) Bill, 2003**: On 30 January and 3 February 2004, the Minister of State in the Ministry of Law and Justice, Shri P.C. Thomas, moved the motion for consideration of the Bill. The Commission on Review of Administrative Law, which was set up by the Central Government on 8 May 1998, had recommended, *inter alia*, the repeal of certain British Statutes. In pursuance of the recommendations of the Commission, the Central Government, after consultations with the concerned Departments, had decided to repeal four enactments, namely, the British Law Ascertainment Act, 1859; the Foreign Law Ascertainment Act, 1861; the Colonial Probates Act, 1892, in so far as they apply to India; and the India (Consequential Provision) Act, 1949, as they had either outlived their utility or ceased to serve any purpose and had thus become obsolete. It was therefore, considered appropriate to repeal the aforesaid enactments as per the recommendations of the Commission.

The Bill, as amended, was passed.

C. OBITUARY REFERENCES**

During the Second Part of the Fourteenth Session, obituary references were made on the passing away of Shri Bhan Singh Bhaura, sitting member; and Sarvashri Kushabhau Thakre; K.R. Ganesh, M. Arunachalam, Larang Sai, R.R. Singh Deo, R.L.P. Verma and Dr. Prabhat Kumar Mishra, all former members.

Members stood in silence as a mark of respect to the deceased.

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* The Bill was introduced in the Rajya Sabha on 5 December 2003 and the Bill, as passed by the Rajya Sabha, was laid on the Table on 10 December 2003

** For information on Question Hour for the First and Second Part of the Fourteenth Session, see *Journal*,(Vol.L, No.1, March 2004), pp. 55-56

STATE LEGISLATURES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Third Arunachal Pradesh Legislative Assembly, which commenced its Twelfth Session on 16 February 2004, was adjourned *sine die* on 27 February 2004. There were three sittings in all.

Address by the Governor: This being the First Session of the year, the Governor of Arunachal Pradesh addressed the House on 16 February 2004. The Motion of Thanks to the Governor for his Address was moved by Shri Wangki Lowang and seconded by Shri Kito Sora. The discussion on the Motion of Thanks was held on 17 February 2004 in which seventeen members participated. Subsequently, the motion was unanimously adopted.

Legislative business: During the Session, two Bills, namely, the Arunachal Pradesh (Re-organisation of District) (Amendment) Bill, 2004 and the Arunachal Pradesh Medical Council Bill, 2004 were introduced, considered and passed by the House.

Financial business: The Supplementary Demands for Grants for the year 2003-2004 and the Vote on Account for the first four months of the financial year 2004-2005 were presented by the Finance Minister.

Supplementary Demands for Grants for the year 2003-2004 relating to various Departments were moved by the concerned Ministers and the Grants were voted in full on 27 February 2004. Thereafter, the Vote on Account for the year 2004-2005 was moved and accepted in full. Subsequently, the necessary connected Appropriation Bills were introduced and passed.

Motion of No-confidence: The Leader of the Opposition, Shri Mukut Mithi, moved a Motion of No-Confidence in the Council of Ministers. Some Ministers and members took part in the discussion. The Chief Minister, Shri Gegong Apang, replied to the debate. The motion was put to vote and was not adopted.

Obituary references: During the Session, obituary references were made on the passing away of Shri Chera Talo, former Minister, and Shri Longfu Lukham, former member of the Arunachal Pradesh Legislative Assembly.

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* Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat

ASSAM LEGISLATIVE ASSEMBLY*

The Eleventh Assam Legislative Assembly, which commenced its Seventh Session on 18 December 2003, was adjourned *sine die* on 23 December 2003. The House was prorogued by the Governor on 24 December 2003. There were five sittings in all.

Obituary references: During the Session, obituary references were made on the passing away of 17 leading personalities. Tributes were also paid to those persons who lost their lives in a recent clash in the State.

The Eighth Session of the Eleventh Assam Legislative Assembly commenced on 3 March 2004, and was adjourned *sine die* on 5 March 2004. In all, there were three sittings.

Address by the Governor: The Governor of Assam addressed the House on 3 March 2004. The Motion of Thanks to the Governor for his Address was adopted by the House after deliberations.

Financial business: The Chief Minister, Shri Tarun Gogoi who is also the Minister-in-charge of Finance, presented the Vote on Accounts for four months of the financial year 2004-2005 beginning 1 April 2004, which was passed by the House.

The Supplementary Demands for Grants for the year 2003-2004 were presented by the Minister in-charge, Finance (State) and was passed by the House.

The Demand for Excess Grants for the years from 1988-89 to 1994-95 were presented before the House and were passed after deliberations.

The Assam Appropriation Bills relating to the Supplementary Demands for Grants for the year 2003-2004 and for the Demands for Excess Grants for the years 1988-89 to 1994-95 were passed by the House.

Obituary references: During the Session, obituary references were made on the passing away of seven leading personalities and tributes were also paid to persons who lost their lives in a recent group clash in the State.

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* Material contributed by the Assam Legislative Assembly Secretariat

BIHAR LEGISLATIVE ASSEMBLY*

The Twelfth Bihar Legislative Assembly which commenced its Thirteenth Session on 19 March 2004 was adjourned *sine die* on 23 March 2004. There were 3 sittings in all.

Address by the Governor: The Governor of Bihar, Shri M. Rama Jois, addressed members of the two Houses assembled together on 19 March 2004. The Motion of Thanks to the Governor for his Address was moved by Shri Vinod Kumar Yadvendu. The discussion on the Motion of Thanks was held on 22 March 2004 and the Motion was passed by the House in its original form rejecting all the amendments tabled thereto.

Legislative business: During the Session, the following five Bills were passed by the House: (i) The Bihar Appropriation (No.2) Bill, 2004; (ii) the Bihar Taxation Law (Amendment) Bill, 2004; (iii) the Bihar Apartment Ownership Bill, 2004; (iv) the Bihar Appropriation (Vote on Account) Bill, 2004; and (v) the Bihar Kendu Patti (Trade Control) Repeal Bill, 2004.

On 23 March 2004, the House adopted a Government Resolution on the Constitution (Ninety-fifth Amendment) Bill, 2003 as passed by the Parliament.

Financial business: On 22 March 2004, the Finance Minister presented the Budget for the year 2004-2005. A motion for the Vote on Account for the grant of expenditure for the months of April to July 2004 was also moved. The Motion was passed by the House on 23 March 2004 after discussion.

The Statement of Supplementary Expenditure for the year 2003-2004 was presented to the House on 22 March 2004. The Statement, including the Demands, were discussed and passed by the House on the same day. The Supplementary Appropriation Bill, 2004 was also passed by the House on the same day.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Yunus Saleem, former Governor; Digamber Thakur, former Minister; Rit Lal Prasad Verma and Smt. Pratibha Singh, former members of Parliament; Sarvashri Fazalurahman, Ram Sevak Singh, Uttam Lal Yadav, Bhupendra Nath Dubey and Captain Ram Niwas, all former MLAs.

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* Material contributed by the Bihar Legislative Assembly Secretariat

CHHATTISGARH LEGISLATIVE ASSEMBLY*

The Second Chhattisgarh Legislative Assembly which commenced its Second Session on 19 February 2004, was adjourned *sine die* on 27 February 2004. There were seven sittings in all.

Address by the Governor: The Governor of Chhattisgarh addressed the House on 19 February 2004. The Motion of Thanks to the Governor for his Address was moved by Shri Vijay Agarwal and seconded by Dr. Balmukund Devangan. The discussion on the Motion of Thanks was held for two days. In all, 17 members moved amendments on the Motion of Thanks which were all rejected and the House adopted the Motion on 24 February 2004 after the reply given by the Chief Minister Dr. Raman Singh.

Legislative business: During the Session, 8 Bills were introduced considered and passed by the House.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Larang Sai, former Union Minister of State; Kushabhau Thakre, former MP; and former BJP President; Dr. Prabhat Mishra, former MP and Shri Tetku Ram Sahu, former member of the Madhya Pradesh Legislative Assembly.

DELHI LEGISLATIVE ASSEMBLY**

The Second Part of the First Session of the Third Delhi Legislative Assembly was held on 24 and 25 March 2004.

Legislative business: During the Session, besides the Appropriation Bills, the Code of Criminal Procedure (Delhi Amendment) Bill, 2004 was passed by the House.

Financial business: On 25 March 2004, the Finance Minister, Dr. A.K. Walia, presented the following to the House: (i) Annual Budget for the financial year 2004-2005; and (ii) the Demands for Grants for the financial year 2004-2005. The Finance Minister also presented the first and final batch of the Supplementary Demands for the financial year 2003-2004. The Supplementary Demands were considered Demand-wise and passed unanimously by the House. The Finance Minister introduced the Appropriation (No.1) Bill, 2004 (for the first and final batch of Supplementary Demands for Grants for the year 2003-2004) with the leave of the House which was considered and passed unanimously. The Finance

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* Material contributed by the Chhattisgarh Legislative Assembly Secretariat

** Material contributed by the Delhi Legislative Assembly Secretariat

Minister also presented the Demands for Grants (Vote on Account) for the period April to July 2004 which were considered Demand-wise and passed unanimously. The Appropriation (Vote on Account) Bill, 2004 was also considered and passed unanimously.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri K.R. Malkani, former Lt. Governor of Pondicherry and former member of the Rajya Sabha, and Sikandar Bakht, former Governor of Kerala and former member of the Delhi Metropolitan Council. Tributes were also paid to the freedom fighters on the occasion of the 'Shahidi Diwas'.

GOA LEGISLATIVE ASSEMBLY*

The Fourth Goa Legislative Assembly, which commenced its First Session of the year on 16 February 2004, was adjourned *sine die* on 20 February 2004. The House was prorogued by the Governor on 27 February 2004. There were five sittings in all.

Address by the Governor: The Governor of Goa, Shri Kidar Nath Sahani, addressed the House on 16 February 2004. A copy of the Governor's Address was thereafter laid on the Table of the House.

Legislative business: Apart from the Appropriation Bills, the following 11 Bills were introduced, considered and passed by the House: (i) The Goa Children's (Amendment) Bill, 2004; (ii) The Goa Medical Practitioners Bill, 2004; (iii) The Goa Civil Courts (Amendment) Bill, 2004; (iv) The Goa Labour Welfare Fund (Amendment) Bill, 2004; (v) The Goa Mundkars (Protection from Eviction) (Amendment) Bill, 2004; (vi) The Education Development Corporation (Amendment) Bill, 2004; (vii) The City of Panaji Corporation (Amendment) Bill, 2004; (viii) The Goa Public Health (Amendment) Bill, 2004; (ix) The Goa Sales Tax (Amendment) Bill, 2004; (x) The Goa Sales Tax and Luxury Tax (Settlement of Arrears by Hoteliers) Bill, 2004; and (xi) The Goa Tax on Luxuries (Amendment) Bill, 2004.

Financial business: On 16 February 2004, the Chief Minister who is also in-charge of the Department of Finance, presented the second batch of the Supplementary Demands for Grants for the year 2003-2004 to the House. The discussion and voting of the Supplementary Demands for Grants were held and the connected Appropriation Bills were passed on 17 February 2004.

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* Material contributed by the Goa Legislative Assembly Secretariat

The Chief Minister presented to the House the Annual Financial Statement for the year 2004-2005 on 18 February 2004. The Vote on Account for a part of the financial year 2004-2005 was submitted to the House, put to vote and passed by the House on 19 February 2004. The connected Goa Appropriation (Vote on Account) Bill, 2004 was also introduced and passed on the same day.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Rama Krishna Hegde, former Chief Minister of Karnataka; Kushabhau Thakre, former President of the BJP; Alfred Rose, an eminent singer; Shankar Ramani, a renowned literary personality and poet and recipient of the Sahitya Academy Award and State Literary Award; Dr. Kashinath Mahale, a noted academician and linguist; and Smt. Menakabai Shirodkar, a noted Goan classical vocalist and dancer.

GUJARAT LEGISLATIVE ASSEMBLY*

The Eleventh Gujarat Legislative Assembly, which commenced its Fourth Session on 19 February 2004, was adjourned *sine die* on 25 February 2004. The House was prorogued by the Governor on the same day. There were 8 sittings in all.

Address by the Governor: The Governor of Gujarat, Shri Kailashpati Mishra, addressed the House on 19 February 2004. The Motion of Thanks to the Governor for his Address was moved by Shri Sunil Oza and seconded by Shri Pradipsinh Jadeja. The discussion on the Motion of Thanks was held on 23 February 2004 in which 34 members participated. In all, 37 notices of amendments to the motion were received, out of which 26 notices of amendments were admitted and 3 were clubbed. Out of these 29 amendments, 5 amendments were moved in the House and the remaining 24 amendments could not be moved because of the absence of the members-in-charge of the amendments. The House adopted the motion in its original form, rejecting all the amendments thereto.

Legislative business: During the Session, eleven Bills were passed by the House. Some of the important Bills are as under: (i) The Gujarat Special Economic Zone Bill, 2004; (ii) The Bombay Betting Tax (Gujarat Repeal) Bill, 2004; (iii) The Gujarat Agricultural Universities Bill, 2004; and (iv) The Gujarat Court Fees Bill, 2004.

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* Material contributed by the Gujarat Legislative Assembly Secretariat

Financial business: On 20 February 2004, the Finance Minister, Shri Vajubhai Vala presented to the House the Budget for the year 2004-2005. A motion for the Vote on Account for the grant of expenditure for the months of April, May, June and July 2004 was moved by the Finance Minister on 24 February 2004 and after discussion, the motion was passed by the House on the same day. The Appropriation (Vote on Account) Bill, 2004 was passed by the House on 25 February 2004.

The Statement of Supplementary Expenditure for the year 2003-2004 was presented to the House on 20 February 2004. The statement included 52 Demands out of which 10 Demands were chosen for discussion. These Demands were discussed on 25 February 2004 and passed by the House on the same day. The remaining 42 Demands were guillotined, and the Supplementary Appropriation Bill, 2004 was passed by the House on 25 February 2004.

The Statement of Excess Expenditure for the years 1991-1992 and 1992-93 were presented to the House on 20 February 2004. The Excess Expenditure Demands were discussed and passed by the House on 25 February 2004 and the Appropriation (Excess Expenditure) Bills, 2004 were passed by the House on 25 February 2004.

Obituary references: During the Session, obituary references were made on the passing away of 9 personalities, including Shri Usmangani Dewdiwala, a sitting member of the Eleventh Gujarat Legislative Assembly.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Tenth Himachal Pradesh Legislative Assembly, which commenced its Fourth Session on 24 February 2004, was adjourned *sine die* on 27 February 2004. The House was prorogued by the Governor on the same day. There were four sittings in all.

Address by the Governor: The Governor of Himachal Pradesh, Justice (Retd.) V.S. Kokje, addressed the House on 24 February 2004. The Motion of Thanks to the Governor for his Address was moved by Smt. Anita Verma and seconded by Shri Jagat Singh. The discussion on the Motion of Thanks was held for two days in which 22 members participated. The Motion was adopted by the House on 26 February 2004 by a voice vote.

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* Material contributed by the Himachal Pradesh Legislative Assembly Secretariat

Legislative business: During the Session, four Bills were introduced, considered and passed by the House, including the Himachal Pradesh Housing and Urban Development Authority Bill, 2004 and the Himachal Pradesh General Sales Tax (Amendment) Bill, 2004.

Financial business: On 24 February 2004, the Chief Minister who is also in-charge of the Finance Department, presented the Supplementary Demands for Grants (First and Final Batch) for the year 2003-2004. The Vote on Account (Interim Budget) for the financial year 2004-2005 was presented by the Chief Minister on 27 February 2004 and both the Appropriation Bills were introduced, considered and passed on 27 February 2004.

KERALA LEGISLATIVE ASSEMBLY*

The Eleventh Kerala Legislative Assembly, which commenced its Seventh Session on 15 January 2004, was adjourned *sine die* on 6 February 2004. There were 15 sittings in all.

Address by the Governor: The Governor of Kerala, Shri Sikander Bakht, addressed the House on 15 January 2004. The discussion on the Motion of Thanks to the Governor for his Address was held for three days in which 40 members participated. The House unanimously adopted the Motion on 21 January 2004.

Legislative business: During the Session, 15 Bills were introduced and passed by the House.

Financial business: On 23 January 2004, the Minister for Finance and Excise presented the Budget for the year 2004-2005. The general discussion on the Budget was held for 3 days and the Budget estimates were referred to the Subject Committees for scrutiny after discussion.

The Minister for Finance and Excise laid on the Table of the House, the Final Supplementary Financial Statement for the year 2003-2004 and the statements of Demands for Excess Grants for the financial years 1989-90 to 1998-99 on 23 January 2004. The discussion and voting on the same took place on 3 February 2004 and the Appropriation Bills relating to the same were passed by the House on 6 February 2004. The Vote on Account for the first four months of the financial year 2004-2005 were presented to the House on 23 January 2004. The discussion and voting on the Vote on Account took place on 4 February

* Material contributed by the Kerala Legislative Assembly Secretariat

2004 and the Appropriation Bill in respect of the same was passed on 6 February 2004.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Mammen Mathai, a sitting member of the Kerala Legislative Assembly; Kanthalote Kunjambu and Dr. A. Subba Rao, both former Ministers; E.P. Eapen, P.K. Sankarankutty and A. George, all former members of the Kerala Legislative Assembly; and Sreevallabha Menon and K.K. Ramakrishnan, both former members of the Travancore-Cochin Legislative Assembly.

MADHYA PRADESH LEGISLATIVE ASSEMBLY*

The Twelfth Madhya Pradesh Legislative Assembly, which was constituted on 5 December 2003, held its First sitting on 15 December 2003, with the Speaker *Pro tem* Smt. Jamuna Devi administering the oath or affirmation to the newly elected members.

Address by the Governor: The Governor of Madhya Pradesh, Shri Ram Prakash Gupta, addressed the newly constituted House on 16 December 2003. The Motion of Thanks to the Governor for his Address was moved by Dr. Narottam Mishra.

Election of Speaker and Deputy Speaker: On 16 December 2003, Shri Ishwardas Rohani was unanimously elected as the Speaker of the Madhya Pradesh Legislative Assembly. On 18 December 2003, Shri Hazari Lal Raghuvanshi was unanimously elected as the Deputy Speaker.

The Second Session of the Twelfth Madhya Pradesh Legislative Assembly commenced on 23 February 2004 and was adjourned *sine die* on 5 March 2004. There were 8 sittings in all.

Address by the Governor: The Governor of Madhya Pradesh addressed the House on 23 February 2004. The Motion of Thanks to the Governor for his Address was moved by Smt. Sudha Jain and was seconded by Shri Jayant Malaiya, both members of the State Legislative Assembly. The Motion was later adopted after discussion in the House.

Legislative business: During the Session, the following six Bills were passed by the House: (i) the Madhya Pradesh Loka Aayukta Evam up Loka Aayukta (Sanshodhan) Vidheyak, 2004; (ii) The Madhya Pradesh up Kar (Sanshodhan) Tatha Vidhi Manyatakaran Vidheyak, 2004; (iii) The

* Material contributed by the Madhya Pradesh Legislative Assembly Secretariat

Madhya Pradesh Gau Vansha Vadha Pratishedh Vidheyak, 2004; (iv) The Madhya Pradesh Zila Yojana Samiti (Sanshodhan) Vidheyak, 2004; (v) The Madhya Pradesh Viniyoga (Lekhanudan) Vidheyak, 2004; and (vi) The Madhya Pradesh Viniyoga Vidheyak, 2004.

Financial business: The Vote on Account in order to meet the financial requirement for the first four months for the Budget year 2004-2005 as well as the second Supplementary Budget Estimates for the budget year 2003-2004 were presented on 3 and 4 March 2004, respectively. The relevant Appropriation Bills were passed on 5 March 2004.

Obituary references: During the Session, obituary references were made on the passing away of Shri Sikander Bakht, Governor of Kerala; Shri Mohammad Yunus Salim, former Governor of Bihar; Shri Rama Krishna Hegde, former Union Minister and Chief Minister of Karnataka; Shri S.B. Chavan, former Union Minister and Chief Minister of Maharashtra; Shri M. Arunachalam, former Union Minister; Shri Larang Sai, former Union Minister of State; Shri Kushabhau Thakre, former national president of the BJP; Dr. Prabhat Kumar Mishra and Shri Bhagirath Bhanwar, both former members of Parliament; Sarvashri Navratan Sankhala, Kanhialal Dungarwal, Shyam Lal Sahu, Madhavlal Dubey, Chhote Lal Uike, and Dr. Govardhan Sharma, all former members of the State Legislative Assembly; Riyaz Ali Kaka, former District President of the BJP; Chandu Sarvate, former Test cricketer; and Vijay Anand, film actor.

MAHARASHTRA LEGISLATIVE ASSEMBLY*

The Eleventh Maharashtra Legislative Assembly, which commenced its Sixth Session on 15 March 2004, was adjourned *sine die* on 17 March 2004. The House was prorogued by the Governor on the same day. There were three sittings in all.

Address by the Governor: The Governor of Maharashtra addressed members of the two Houses assembled together on 15 March 2004. The Motion of Thanks to the Governor for his Address was moved in the House on the same day. The Speaker announced that the discussion on the Governor's Address would be taken up in the next Session.

Legislative business: The following two Money Bills were considered and passed by the House: (i) The Maharashtra (Supplementary) Appropriation Bill, 2004 and (ii) the Maharashtra (Vote on Account) Bill, 2004.

Financial business: On 15 March 2004, the Finance Minister pre-

* Material contributed by the Maharashtra Legislative Assembly Secretariat

sented the Supplementary Demands for the year 2003-2004 to the House. The discussion on the Supplementary Demands of 3 selected Departments was held on 16 March 2004 by suspending rule 260(2) of the Legislative Assembly, which does not allow discussion on Supplementary Demands earlier than 3 days after laying of the Supplementary Statement of Expenditure. The Supplementary Demands were passed by the House on the same day. The Maharashtra (Supplementary) Appropriation Bill, 2004 was passed by the House on 16 March 2004.

The Finance Minister presented the interim Budget for the year 2004-2005 on 16 March 2004. The general discussion on the interim Budget was held on 17 March 2004 by suspending rule 246(1), which does not allow discussion on the Budget earlier than 7 clear days from the day on which the Budget is presented. At the end of the general discussion, the Finance Minister replied.

The Motion on Vote on Account for the year 2004-2005 was moved in the House on 17 March 2004 and approved by the House. On the same day, the Maharashtra Appropriation (Vote on Account) Bill, 2004 was passed by the House.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Shankarrao Bhaurao Chavan, former Chief Minister of Maharashtra; Abhaysinhraje Shahumaharaj Bhosale, a sitting member of the House and a former Minister; Ramgopal Ramkisan Nawandar, Ramkrishna Ziblaji Katekhaye, Ganpat Sambaji Rajaram Kadam, Swarupchand Jethmal Ajmera-Jain, Dhakleshwar Makkaji Karnade and Suresh Chintamanrao Khanorkar, all former members.

MEGHALAYA LEGISLATIVE ASSEMBLY*

The Seventh Meghalaya Legislative Assembly, which commenced its Fifth Session on 27 February 2004, was adjourned *sine die* on 5 March 2004. There were six sittings in all.

Address by the Governor: The Governor of Meghalaya, Shri M.M. Jacob addressed the House on 27 February 2004. A Motion of Thanks to the Governor for his Address was moved and discussed. A Motion of amendment to the Governor's Address was moved by an Opposition member but was later withdrawn on 5 March 2004 after the reply given by the Chief Minister. Thereafter, the Motion was adopted by the House.

Legislative business: During the Session, the following three Bills

* Material contributed by the Meghalaya Legislative Assembly Secretariat

were passed by the House: (i) The Meghalaya Appropriation (Vote on Account) Bill, 2004; (ii) the Meghalaya Appropriation (No.1) Bill, 2004; and (iii) the Meghalaya Shops and Establishment Bill, 2004.

Financial business: On 1 March 2004, the Deputy Chief Minister, Dr. Donkupar Roy who is also in-charge of the Department of Finance, presented to the House the Supplementary Demands for Grants and the Supplementary Appropriation for the year 2003-2004 to the House. On the same day, the Budget Estimates for the year 2004-2005 were presented to the House and the Vote on Account for the first quarter of the financial year 2004-2005 was passed by the House. The voting on the Supplementary Demands for Grants was held on 2 and 3 March 2004.

Obituary references: During the Session, obituary references were made on the passing away of two former Union Ministers and two former members of the House.

MANIPUR LEGISLATIVE ASSEMBLY*

The Eighth Manipur Legislative Assembly, which commenced its Seventh Session on 6 February 2004, was adjourned *sine die* on 9 February 2004. The House was again reconvened on 27 February 2004 and adjourned *sine die* on 4 March 2004. In all, there were six sittings.

Address by the Governor: The Governor of Manipur, Shri Arvind Dave, addressed the House on 6 February 2004. The Motion of Thanks to the Governor for his Address was moved by the Minister for Commerce and Industries, Shri Th. Debendra Singh and seconded by the Minister for Arts and Culture, Dr. M. Nara Singh.

Legislative business: During the Session, in addition to the Appropriation Bills, the Manipur Secondary Education (Fifth Amendment) Bill, 2004 was considered and passed by the House.

Financial business: On 27 February 2004, the Chief Minister, Shri O. Ibobi Singh, who is also in-charge of the Finance Department, presented the Supplementary Demands for Grants for the year 2003-2004 and the Budget Estimates for the year 2004-2005 and also moved the motion for Vote on Account, 2004. The discussion was held on 1 March 2004 and the following two Bills, *viz.* (i) the Manipur Appropriation (No.1) Bill, 2004; and (ii) the Manipur Appropriation (No.2) Bill, 2004, were introduced. The House passed both the Bills on 4 March 2004.

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* Material contributed by the Manipur Legislative Assembly Secretariat

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Ak. Langam, a former member of the Sixth Manipur Legislative Assembly; Kh. Heitombi Singh, a former member of the first Manipur Territorial Council; Naorem Kanhai Singh, a former member of the Manipur Territorial Council and Lalroukung, a former member of the Manipur Territorial Assembly.

MIZORAM LEGISLATIVE ASSEMBLY*

The Fifth Mizoram Legislative Assembly, which commenced its Second Session on 18 March 2004, was adjourned *sine die* on 25 March 2004. There were five sittings in all.

Address by the Governor: The Governor of Mizoram addressed the House on 18 March 2004.

Legislative business: During the Session, the following three Bills were introduced and passed by the House: (i) the Mizoram Appropriation (No.1) Bill, 2004; (ii) the Mizoram Appropriation (No.2) Bill, 2004; and (iii) the Mizoram Appropriation (No.3) Bill, 2004.

Financial business: The Chief Minister, Pu Zoramthanga, who is also in-charge of the Department of Finance presented the Supplementary Demands for Grants for the year 2003-2004 and the Annual Budget for the year 2004-2005. The Vote on Account for the months of April to July 2004 was passed by the House.

The discussion on the Supplementary Demands for Grants for the year 2003-2004 and the Vote on Account was held on 25 March 2004; both were passed unanimously by the House.

NAGALAND LEGISLATIVE ASSEMBLY**

The Tenth Nagaland Legislative Assembly, which commenced its Third Session on 16 December 2003, was adjourned *sine die* on 18 December 2003. There were two sittings in all.

Obituary references: During the Session, obituary references were made on the passing away of Union Minister, Shri Murasoli Maran; Sarvashri I.Vikheshe and N.T. Nakhro, both former Ministers of Nagaland; and Shri Amon, a former member of the First Nagaland Legislative Assembly.

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* Material contributed by the Mizoram Legislative Assembly Secretariat

** Material contributed by the Nagaland Legislative Assembly Secretariat

The Fourth Session of the Tenth Nagaland Legislative Assembly commenced on 23 March 2004 and was adjourned *sine die* on 29 March 2004. The House was prorogued by the Governor on 31 March 2004. There were four sittings in all.

Address by the Governor: The Governor of Nagaland addressed the House on 23 March 2004. The Motion of Thanks to the Governor for his Address was moved by Shri Kuzholuzo and was seconded by Shri Hukavi. Four members participated in the discussion on the Motion of Thanks.

Legislative business: During the Session, apart from the Appropriation Bills, the Indian Stamp (Nagaland Third Amendment) Bill, 2004 was considered and passed by the House.

Financial business: During the Session, the Finance Minister, Shri Kewekhape Therie, presented the Annual Financial Statement showing the Vote on Account for the year 2004-2005. The Finance Minister also presented the Supplementary Demands for Grants for the year 2003-2004, which was put to vote and passed by the House. The Finance Minister introduced the Nagaland Appropriation (No.1 and 2) Bills, 2004 which were passed by the House by voice vote.

Obituary references: During the Session, obituary references were made on the passing away of Shri Zhangulie, former Secretary of the Nagaland Legislative Assembly.

ORISSA LEGISLATIVE ASSEMBLY*

The Twelfth Orissa Legislative Assembly, which commenced its Thirteenth Session on 3 February 2004, was adjourned *sine die* on 5 February 2004. There were three sittings in all.

Dissolution of State Legislative Assembly: On the recommendation of the Council of Ministers, the Governor of Orissa dissolved the House on 6 February 2004.

Financial business: On 3 February 2004, the Chief Minister who is also in-charge of Finance, presented the Annual Budget Estimates for the year 2004-2005 and then moved a motion on Vote on Account. The discussion on the motion was held for a day. On 5 February 2004, the House passed the Orissa Appropriation (Vote on Account) Bill, 2004.

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* Material contributed by the Orissa Legislative Assembly Secretariat

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Jami Subarao Prusty and Ishwar Nayak, both former members of the State Legislative Assembly, and Lance Naik Babrubahan Pradhan of the Indian Army.

TRIPURA LEGISLATIVE ASSEMBLY*

The Ninth Tripura Legislative Assembly, which commenced its Fourth Session on 26 February 2004, was adjourned *sine die* on 5 March 2004. The House was prorogued by the Governor on 3 April 2004. In all, there were six sittings.

Legislative business: During the Session, the Institute of Chartered Financial Analysts of India University, Tripura Bill, 2004, was introduced, considered and passed by the House:

Financial business: On 26 March 2004, the Finance Minister Shri Badal Chowdhury presented before the House the Supplementary Demands for Grants for the year 2003-2004. On the same day, the Finance Minister also moved the Vote on Account for a part of the financial year 2004-2005. The general discussion on the Supplementary Demands for Grants was held on 3 April 2004.

On 4 April 2004, the discussion and voting on the Supplementary Demands for Grants were held. Thirty-three Cut Motions received from the members were taken as moved and negatived by voice vote. Then, all the Supplementary Demands for Grants for 2003-2004 were passed by the House. On the same day, the Finance Minister moved a Motion for a Vote on Account for a part of the financial year 2004-2005, which was passed by the House on 5 March 2004.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Sikander Bakht, Governor of Kerala, S.B. Chavan, former Union Minister and former Chief Minister of Maharashtra and Rama Krishna Hegde, former Union Minister and former Chief Minister of Karnataka.

WEST BENGAL LEGISLATIVE ASSEMBLY**

The Thirteenth West Bengal Legislative Assembly which commenced its Seventh Session on 26 February 2004, was adjourned *sine die* on

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* Material contributed by the Tripura Legislative Assembly Secretariat

** Material contributed by the West Bengal Legislative Assembly Secretariat

18 March 2004. The House was prorogued by the Governor on 19 March 2004. There were 11 sittings in all.

Address by the Governor: The Governor of West Bengal, Shri Viren J. Shah, addressed the House on 26 February 2004. The Motion of Thanks to the Governor for his Address was moved on the same day. The House discussed the Motion on 8, 9, 10 and 11 March 2004 and negatived all the 757 amendments to the Motion. The House adopted the Motion on 11 March 2004.

Legislative business: During the Session, four Bills were passed by the House.

Financial business: On 15 March 2004, the Finance Minister, Dr. Asim Kumar Dasgupta, presented the Interim Budget for the year 2004-2005 to the House. The Supplementary Estimates for the year 2003-2004 were presented to the House by the Finance Minister on the same day. The Motion for Vote on Account was passed on 16 March 2004. The Demands for Supplementary Grants were moved on 17 March 2004 and voted by the House on the same day after discussion. On 18 March 2004, the House passed the West Bengal Appropriation Bill, 2004 and the West Bengal Appropriation (Vote on Account) Bill, 2004.

Obituary references: During the Session, obituary references were made on the passing away of Shri Santi Kumar Dasgupta, former Minister of the Government of West Bengal, and Sarvashri Atahar Rahaman, Abduys Sobhan Gazi and Mir Fakir Mohammad, all former MLAs, and some other renowned personalities.

7

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE SECOND PART OF THE FOURTEENTH SESSION OF THE THIRTEENTH LOK SABHA

1.	PERIOD OF THE SESSION	29 January to 5 February 2004
2.	NUMBER OF SITTINGS HELD	5
3.	TOTAL NUMBER OF SITTING HOURS	28 hours, 26 minutes
4.	GOVERNMENT BILLS	
	(i) Pending at the commencement of the Session	45
	(ii) Introduced	6
	(iii) Referred to Departmentally-related Standing Committee by Speaker/Chairman, Rajya Sabha	1
	(iv) Discussed	8
	(v) Passed	8
	(vi) Returned by Rajya Sabha without any recommendation	6
	(vii) Pending at the end of the Session	43
5.	PRIVATE MEMBERS' BILLS	
	(i) Pending at the commencement of the Session	261
	(ii) Removed from the Register of Pending Bills	2
	(iii) Pending at the end of the Session	259
6.	NUMBER OF MATTERS RAISED UNDER RULE 377	31
7.	NUMBER OF MATTERS RAISED ON URGENT PUBLIC IMPORTANCE DURING ZERO HOUR	31
8.	NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
	(i) Notices received	7
	(ii) Admitted	1
	(iii) Discussions held	1
9.	NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling Attention of Matters of Urgent Public Importance)	1
10.	STATEMENTS MADE BY MINISTERS UNDER RULE 372	2
11.	PRIVATE MEMBERS' RESOLUTIONS	
	(i) Received	2
	(ii) Admitted	2
	(iii) Discussed	3
	(iv) Withdrawn	2
	(iv) Part-discussed	1
12.	NUMBER OF ADJOURNMENT MOTIONS	
	(i) Total number of Notices received	20
	(ii) Consent withheld by Speaker, Lok Sabha outside the House	20

13.	NUMBER OF PARLIAMENTARY COMMITTEE CONSTITUTED, IF ANY, DURING THE SESSION	3 (COSL, Food & Civil Supplies and Petroleum & Chemicals)
14.	TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	3,293
15.	MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED	1,188 on 4 February 2004
16.	TOTAL NUMBER OF QUESTIONS ADMITTED	
	(i) Starred	40
	(ii) Unstarred	232
	(iii) Short Notice Questions	2
	(iv) Half-an-Hour Discussions	Nil
17.	NUMBER OF PRIVILEGE MOTIONS	
	(i) Notices received	2
	(ii) Brought before the House	Nil

18. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of sittings held during the period 1 April to 30 June 2004	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	1	1
ii)	Committee on Absence of Members from the Sittings of the House	—	—
iii)	Committee on Public Undertakings	—	—
iv)	Committee on Papers Laid on the Table	—	—
v)	Committee on Petitions	—	—
vi)	Committee on Private Members' Bills and Resolutions	—	—
vii)	Committee on the Welfare of	—	—
	Scheduled Castes and Scheduled Tribes	—	—
viii)	Committee of Privileges	—	—
ix)	Committee on Government Assurances	2	—
x)	Committee on Subordinate Legislation	1	—
xi)	Committee on Estimates	1	1
xii)	General Purposes Committee	—	—
xiii)	House Committee		
	a) Accommodation Sub-Committee	—	—
	b) Sub-Committee on Amenities	—	—
xiv)	Public Accounts Committee	—	—
xv)	Railway Convention Committee	—	—
xvi)	Rules Committee	—	—
xvii)	Committee on Ethics	—	—
xviii)	Committee on Empowerment of women	2	1
xix)	Committee on Member of Parliament Local Area Development Scheme (MPLADS)	1	—

	JOINT/SELECT COMMITTEES		
i)	Joint Committee on Offices of Profit	1	1
	DEPARTMENTALLY RELATED STANDING COMMITTEES		
i)	Committee on Agriculture	—	—
ii)	Committee on Information Technology	2	—
iii)	Committee on Defence	—	—
iv)	Committee on Energy	2	5
v)	Committee on External Affairs	—	—
vi)	Committee on Finance	2	—
vii)	Committee on Food, Civil Supplies and Public Distribution	—	—
viii)	Committee on Labour and Welfare	—	—
ix)	Committee on Petroleum and Chemicals	—	—
x)	Committee on Railways	3	2 (Orignal) 1 (Action Taken)
xi)	Committee on Urban and Rural Development	4	5 (Actiion Taken)

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE TWO HUNDREDTH SESSION OF THE RAJYA SABHA*

1. WORKING OF PARLIAMENTARY COMMITTEES

	Name of the Committee	No. of meetings held during the period 1 January to 31 March 2004	No. of Reports presented
(i)	Business Advisory Committee	1	Nil
(ii)	Committee on Subordinate Legislation	1	Nil
(iii)	Committee on Petitions	5	Nil
(iv)	Committee of Privileges	Nil	Nil
(v)	Rules Committee	Nil	Nil
(vi)	Committee on Government Assurances	1	Nil
(vii)	Committee on Papers Laid on the Table	2	4
(viii)	General Purposes Committee	Nil	Nil
(ix)	House Committee	1	1
Department-related Standing Committees:			
(x)	Commerce	1	Nil
(xi)	Home Affairs	1	Nil
(xii)	Human Resource Development	3	1
(xiii)	Industry	3	1
(xiv)	Science and Technology, Environment and Forests	1	6
(xv)	Transport, Tourism	3	4
Other Committees			
(xvi)	Committee on Ethics	Nil	Nil
(xvii)	Committee on Provision of Computers to Members of Rajya Sabha	Nil	Nil
(xviii)	Committee on Member of Parliament Local Area Development Scheme	2	Nil
(xix)	Joint Parliamentary Committee on the Functioning of Wakf Boards	1	Nil

* For detailed information regarding work transacted during the 200th Session of the Rajya Sabha, *See Journal* (Vol. L, No. 1) pp. 92-96

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 2004

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Shoret Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.**	—	—	—	—	—	—	—
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—
Assam L.A.	3.3.2004 to 5.3.2004	3	9(9)	—	70(40)	9(39)[a]	—
Bihar L.A.	19.3.2004 to 23.3.2004	3	5(5)	—	_(305)	_(132)	_(29)
Bihar L.C.**	—	—	—	—	—	—	—
Chhattisgarh L.A.	19.2.2004 to 27.2.2004	7	7(7)	5(2)	307(197)	170(166)	—
Delhi L.A.	24.3.2004 to 25.3.2004	2	3(3)	—	—	—	—
Goa L.A.	16.2.2004 to 20.2.2004	5	15(13)	—	359(153)	143(279)[a]	—
Gujarat L.A.	19.2.2004 to 25.2.2004	7	11(11)	5	—	538(350)	105(10)
Haryana L.A.	9.2.2004 to 17.2.2004	8	12(12)	—	248(195)	11(5)	—
Himachal Pradesh L.A.	24.2.2004 to 27.2.2004	4	4(4)	—	77(53)	27(15)	—
Jammu & Kashmir L.A.*	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Jharkhand L.A.	21.2.2004 to 12.3.2004	10	3(3)	—	_(170)	_(157)	_(98)
Kamataka L.A.	5.1.2004 to 16.1.2004 5.2.2004 to 13.2.2004	15	16(15)	—	105(105)	855(855)	—
Kamataka L.C.	5.1.2004 to 16.1.2004 5.2.2004 to 13.2.2004	16	12(12)	—	561(105)	_(389)	—

Kerala L.A.	15.1.2004 to 6.2.2004	15	16(15)	—	1,294	3603	—
Madhya Pradesh L.A.	23.2.2004 to 5.3.2004	8	6(6)	—	568(325)	333(362)[a]	—
Maharashtra L.A.**	—	—	—	—	—	—	—
Maharashtra L.C.**	—	—	—	—	—	—	—
Manipur L.A.	6.2.2004 to 4.3.2004	6	3(3)	—	57(37)	3(3)	—
Meghalaya L.A.**	—	—	—	—	—	—	—
Mizoram L.A.	18.3.2004 to 25.3.2004	5	3(3)	—	113(110)	72(70)	—
Nagaland L.A.	23.3.2004 to 29.3.2004	4	3(3)	—	60(55)	10(7)	—
Orissa L.A.	3.2.2004 to 5.2.2004	3	1(1)	—	—	—	—
Punjab L.A.	15.3.2004 to 16.3.2004	2	16(16)	—	126(100)	12(9)	4
Rajasthan L.A.**	—	—	—	—	—	—	—
Sikkim L.A.**	—	—	—	—	—	—	—
Tamil Nadu L.A.**	—	—	—	—	—	—	—
Tripura L.A.	26.2.2004 to 5.3.2004	6	3(3)	—	479(346)	892(786)	2(2)
Uttaranchal L.A.**	—	—	—	—	—	—	—
Uttar Pradesh L.A.**	—	—	—	—	—	—	—
Uttar Pradesh L.C.**	4.2.2004 to 21.2.2004	10	_(10)	—	777(670)	138(129)	155(87)
West Bengal L.A.**	—	—	—	—	—	—	—
UNION TERRITORIES							
Pondicherry L.A.	17.3.2004 to 18.3.2004	2	4(4)	—	—	—	—

* Information received from the State/Union territory Legislature contained NIL report

** Information not received from the State/Union territory Legislature

Notes : a) Including Starred Questions and Short Notices admitted as Unstarred

APPENDIX III (Contd.)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED DURING THE PERIOD 1 JANUARY TO 31 MARCH 2004

	Business Advisory Committee	Committee on Govt. Assurances	Committee on Petitions	Committee on Private Members Bills and Resolutions	Committee of Privileges	Committee on Public Undertakings	Committee on Subordinate Legislation	Committee on the Welfare of SCs and STs	Committee on Estimates	General Purposes Committee	House/Accommodation Committee	Library Committee	Public Accounts Committee	Rules Committee	Joint/Select Committee	Other Committees
	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
STATES																
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.	1(1)	2(1)	1	—	3	3	2	—	3	—	—	1	4(2)	—	—	7[a]
Bihar L.A.	—	—	—	—	—	—	10	10	34	1	—	10	38	—	—	55[b]
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chhattisgarh L.A.	1(1)	1	1	—	—	—	—	—	—	—	1	1	—	—	—	—
Delhi L.A.	1(1)	—	—	—	—	—	—	—	—	2(1)	—	—	—	—	—	—
Goa L.A.	1(1)	4	1	—	—	(1)	2	—	2	—	—	1	2	—	1	—
Gujarat L.A.	1	5	—	1	1	10	1	11	8	—	2	—	10(2)	2	—	12(2)[c]
Haryana L.A.	1(1)	16(1)	—	—	16(1)	14(1)	14	14(1)	15(2)	—	8	11	16	—	—	—
Himachal Pradesh L.A.	—	—	—	—	4	9(3)	8	6(2)	8	—	—	1	8	—	—	25(4)[d]
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A.	—	7	7	—	1	15(3)	8	7	7	—	—	11	11	—	—	50[e]
Karnataka L.A.	5	1(1)	2(1)	—	—	2(4)	1(1)	2	2	—	4	1	1	—	—	4(2)[f]
Karnataka L.C.	1	7	3	1(1)	6	—	—	—	—	—	1	—	—	—	—	—
Kerala L.A.	1(1)	4(1)	6(1)	8(1)	2(1)	4(13)	7(1)	8	11(4)	—	7	5	7(8)	—	—	71(11)[g]
Madhya Pradesh L.A.	2(2)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Manipur L.A.	2(2)	3	—	—	2	2	3	1	3	—	9	—	13	—	—	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.	2(2)	2	—	—	1	2	2	—	1	2	—	1	6(2)	—	—	—
Nagaland L.A.	1	—	—	—	—	—	1	—	2	—	—	—	1	—	—	—
Orissa L.A.	—	—	1	—	—	4	4	3	2	—	—	2	1	—	2	4[h]
Punjab L.A.	1(1)	14(1)	20	—	15	13(2)	11(1)	17(1)	10(3)	1	1	11	14(7)	—	—	12(2)[i]
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Tamil Nadu L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tripura L.A.	2(2)	2	1	—	—	2	—	5	2	1	—	—	6	—	—	—
Uttaranchal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	--	—	—	—
Uttar Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C.	7	—	4	—	2	—	—	—	—	—	—	—	—	4	—	57[g]
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY																
Pondicherry L.A.	—	2	—	—	—	—	—	—	25	—	—	—	26(17)	—	—	—

* Information received from the State/Union territory Legislatures contained NIL report

** Information not received from the State/Union territory Legislatures

(a) Committee on Welfare of Women and Children-1; Ethics Committee-1; and Employment Review Committee-5

(b) Question and Calling Attention Committee-19; Woman and Child Welfare Committee-10; Nivedan Committee-16; and Internal Resources Committee-10

(c) Panchayati Raj Committee-7; Committee on Welfare of Socially and Educationally Backward Classes-3(2); and Committee on Papers Laid on the Table-2

(d) Public Administration Committee-5(2); Human Development Committee-8(2); General Development Committee-4; and Rural Planning Committee-8

(e) Zila Parishad Committee-7; Woman and Child Welfare Committee-11; Forests and Environment Committee-6; Nivedan Committee-7(1); Sadachar Committee-7; and Question and Calling Attention Committee-12

(f) Committee on Welfare of Backward Classes and Minorities-1(1); Committee on Papers Laid on the Table-1(1); and Committee on Welfare of Women and Children-2

(g) Committee on the Welfare of Women, Children and Physically Handicapped-10(3); Committee on Environment-1; Committee on the Welfare of Backward Class Communities-8(2); Committee on Papers Laid on the Table-3(1); Committee on Local Fund Accounts-5(2); Committee on Official Language-1; and Subject Committees-43(3)

(h) Committee on Papers Laid on the Table-4

(i) Committee on Papers Laid/to be laid on the Table-5(1); and Committee on Questions and References-7(1)

(j) Committee on Equal Legislative Rights-4; Committee on Questions and References-7; Committee on Delays in Financial and Administrative Matters-7; Committee on Vetting/Revision of Rules-10; Committee on Parliamentary Studies-3; Committee on Complaints regarding Members' Residences-4; Committee on Deciding *inter se* Priority of Questions and Processes thereof-6; Committee on Parliamentary and Social Harmony-11; and Consultative Committee-5

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD

1 JANUARY TO 31 MARCH 2004

Sl. No.	Title of the Bill	Date of Assent
1	2	3
1.	The Sick Industrial Companies (Special Provisions) Repeal Bill, 2003	1.1.2004
2.	The Representation of the People (Second Amendment) Bill, 2003	1.1.2004
3.	The Delimitation (Amendment) Bill, 2003	1.1.2004
*4.	The Constitution (Ninety-first Amendment) Bill, 2003	1.1.2004
5.	The Prevention of Terrorism (Amendment) Bill, 2003	2.1.2004
**6.	The Constitution (Ninety-second Amendment) Bill, 2003	7.1.2004
7.	The Indian Council of World Affairs (Amendment) Bill, 2003	7.1.2004
8.	The Citizenship (Amendment) Bill, 2003	7.1.2004
9.	The Uttar Pradesh Reorganisation (Amendment) Bill, 2003	7.1.2004
***10.	The Indian Telegraph (Amendment) Bill, 2003	9.1.2004
11.	The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 2003	9.1.2004

* The Bill was introduced in the Lok Sabha as the Constitution (Ninety-seventh Amendment) Bill, 2003. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1

** The Bill was introduced in the Lok Sabha as the Constitution (One-hundredth Amendment) Bill, 2003. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1

*** The Bill was introduced in the Lok Sabha as the Indian Telegraph (Amendment) No. 2 Bill, 2003. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1

*12.	The Constitution (Eighty-eighth Amendment) Bill, 2003	15.1.2004
13.	The Appropriation (Railways) Bill, 2004	7.2.2004
14.	The Appropriation (Railways) No.2 Bill, 2004	7.2.2004
15.	The Appropriation (Railways) Vote on Account Bill, 2004	7.2.2004
16.	The Finance Bill, 2004	12.2.2004
17.	The Appropriation (Vote on Account) Bill, 2004	12.2.2004
18.	The Appropriation Bill, 2004	12.2.2004
19.	The Foreigners (Amendment) Bill, 2004	20.2.2004
20.	The British Statutes (Repeal) Bill, 2004	20.2.2004

* The Bill was introduced in the Lok Sabha as the Constitution (Ninety-fifth Amendment) Bill, 2003. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1. The Bill, as passed by the two Houses of Parliament, was also ratified by the Legislatures of not less than one-half of the States in terms of proviso to clause (2) of article 368

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF THE STATES AND THE UNION TERRITORIES DURING THE PERIOD

1 JANUARY TO 31 MARCH 2004

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Karadhan Vidhi (Sanshodhan) Vidheyak, 2004
2. The Bihar Apartments Swamitva Vidheyak, 2004
3. The Bihar Kendu Patti (Vyapar Niyantran) Nirasan Vidheyak, 2004
4. The Bihar Viniyog Vidheyak Sankhya-1
5. The Bihar Viniyog Vidheyak Sankhya-2

CHHATTISGARH LEGISLATIVE ASSEMBLY

1. The Chhattisgarh Viniyog (Kramank-1) Vidheyak, 2004
2. The Chhattisgarh Bhumigat Pipe Lines (Bhumi Ke Upyog Ke Adhikaron Ka Arjan) Vidheyak, 2004
3. The Chhattisgarh Krishi Upaj Mandi (Sanshodhan) Vidheyak, 2004
4. The Chhattisgarh Rajya Prashasanik Adhikaran (Lambit Evam Nirakrit Avedano Ka Antikaran) Vidheyak, 2004
5. The Chhattisgarh Viniyog (Lekhanudan) Vidheyak, 2004
6. The Chhattisgarh Manoranjan Shulk Evam Vigyapan Kar (Sanshodhan) Vidheyak, 2004
7. The Chhattisgarh Niji Vishvavidyalaya (Sthapana Aur Viniyaman) (Sanshodhan) Vidheyak, 2004

DELHI LEGISLATIVE ASSEMBLY

1. The Code of Criminal Procedure (Delhi Amendment) Bill, 2004
2. The Appropriation (No.1) Bill, 2004
3. The Appropriation (Vote on Account) Bill, 2004

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 2004
2. The Goa Appropriation (Vote on Account) Bill, 2004
3. The Goa Children's (Amendment) Bill, 2004
4. The Goa Medical Practitioners Bill, 2004
5. The Goa Civil Courts (Amendment) Bill, 2004
6. The Goa Labour Welfare Fund (Amendment) Bill, 2004
7. The Goa Mundkars (Protection from Eviction) (Amendment) Bill, 2004
8. The Goa Education Development Corporation (Amendment) Bill, 2004

9. The City of Panaji Corporation (Amendment) Bill, 2004
10. The Goa Public Health (Amendment) Bill, 2004
11. The Goa Sales Tax (Amendment) Bill, 2004
12. The Goa Sales Tax and Luxury Tax (Settlement of Arrears by Hoteliers) Bill, 2004
13. The Goa Tax on Luxuries (Amendment) Bill, 2004

GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Betting Tax (Gujarat Repeal) Bill, 2004
2. The Gujarat Court-Fees Bill, 2004
3. The Gujarat Special Economic Zone Bill, 2004
4. The Industrial Disputes (Gujarat Amendment) Bill, 2004
5. The Gujarat Agricultural Universities Bill, 2004
6. The Gujarat Public Premises (Eviction of Unauthorised Occupants) (Amendment) Bill, 2004
7. The Gujarat Appropriation (Vote on Account) Bill, 2004
8. The Gujarat (Supplementary) Appropriation Bill, 2004
9. The Gujarat Appropriation (Excess Expenditure) Bill, 2004
10. The Gujarat Appropriation (Excess Expenditure) (Second) Bill, 2004
11. The Gujarat University Law (Second Amendment) Bill, 2003

HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana Panchayati Raj (Amendment) Bill, 2004
2. The Punjab Passenger and Goods Taxation (Haryana Amendment) Bill, 2004
3. The Punjab Ayurvedic and Unani Practioners [(Haryana Amendment) and Validation] Bill, 2004
4. The Haryana Public Service Commission (Additional Functions) Amendment Bill, 2004
5. The Indian Stamp (Haryana Amendment) Bill, 2004
6. The Punjab Courts (Haryana Amendment) Bill, 2004
7. The Haryana Development and Regulation of Urban Areas (Amendment) Bill, 2004
8. The Haryana Value Added Tax (Amendment) Bill, 2004
9. The Haryana Appropriation (No.1) Bill, 2004
10. The Haryana Appropriation (No.2) Bill, 2004
11. The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Bill, 2004
12. The Haryana Urban Development Authority (Amendment) Bill, 2004

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Himachal Pradesh Appropriation Bill, 2004
2. The Himachal Pradesh Appropriation (Vote on Account) Bill, 2004
3. The Himachal Pradesh Housing and Urban Development Authority Bill, 2004
4. The Himachal Pradesh General Sales Tax (Amendment) Bill, 2004

JHARKHAND LEGISLATIVE ASSEMBLY

1. The Jharkhand Appropriation (No.1) Bill, 2004
2. The Jharkhand Appropriation (No.2) Bill, 2004
3. The Jharkhand State Non-financial Educational Institution (Grant) Bill, 2004

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Co-operative Societies (Amendment) Bill, 2004*
2. The Karnataka Protection of Interest of Depositors in Financial Establishments Bill, 2004*
3. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 2004*
4. The Karnataka Tax on Lotteries Bill, 2004*
5. The Karnataka Electricity (Taxation on Consumption) (Amendment) Bill, 2004*
6. The Karnataka Taxation Laws (Amendment) Bill, 2004*
7. The Karnataka Sales Tax and Certain other Laws (Amendment) Bill, 2004*
8. The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Bill, 2004*
9. The Karnataka State Universities (Amendment) Bill, 2004*
10. The Karnataka Appropriation Bill, 2004*
11. The Karnataka Appropriation (Vote on Account) Bill, 2004*
12. The Karnataka Veterinary, Animal and Fisheries Sciences University Bill, 2004*
13. The Karnataka Prohibition of Charging Exorbitant Interest Bill, 2004*
14. The Child Marriage Restraint (Karnataka Amendment) Bill, 2004*
15. The Karnataka Public Premises (Eviction of Unauthorised Occupants) (Amendment) Bill, 2004*

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Souharda Sahakari (Amendment) Bill, 2004*
2. The Karnataka Molasses Regulation Bill, 2004*
3. The Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) (Amendment) Bill, 2004
4. The Karnataka Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation of Appointment etc.) (Second Amendment) Bill, 2004
5. The Karnataka Co-operative Textile Mills (Acquisition and Transfer) (Amendment) Bill, 2004*
6. The Karnataka Village Defence Parties (Repeal) Bill, 2004
7. The National Law School of India (Amendment) Bill, 2004
8. The Karnataka Municipal Corporations (Amendment) Law and Certain other Laws (Amendment) Bill, 2004
9. The Karnataka Land Reforms (Amendment) Bill, 2004
10. The Karnataka Land Revenue (Amendment) Bill, 2004
11. The Karnataka Town and Country Planning and Certain other Laws (Amendment) Bill, 2004*
12. The Karnataka Town and Country Planning (Amendment) Bill, 2004

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Automobiles (Validation of Appointments of Personnel) Bill, 2004
2. The Kerala Stamp (Amendment) Bill, 2004
3. The Kerala Tolls (Amendment) Bill, 2004
4. The Kerala Appropriation Bill, 2004
5. The Kerala Appropriation (No.2) Bill, 2004
6. The Kerala Appropriation (No.3) Bill, 2004
7. The Kerala Appropriation (No.4) Bill, 2004
8. The Kerala Appropriation (No.5) Bill, 2004
9. The Kerala Appropriation (No.6) Bill, 2004
10. The Kerala Appropriation (No.7) Bill, 2004
11. The Kerala Appropriation (No.8) Bill, 2004
12. The Kerala Appropriation (No.9) Bill, 2004
13. The Kerala Appropriation (No.10) Bill, 2004
14. The Kerala Appropriation (No.11) Bill, 2004
15. The Kerala Appropriation (Vote on Account) Bill, 2004

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Loka Aayukta Evam Up Loka Aayukta (Sanshodhan) Vidheyak, 2004
2. The Madhya Pradesh Up Kar (Sanshodhan) Tatha Vidhi Manyatakaran Vidheyak, 2004
3. The Madhya Pradesh Gau Vansha Vadha Pratishedh Vidheyak, 2004
4. The Madhya Pradesh Jila Yojana Samiti (Sanshodhan) Vidheyak, 2004
5. The Madhya Pradesh Viniyoga (Lekhanudan) Vidheyak, 2004
6. The Madhya Pradesh Viniyoga Vidheyak, 2004

MANIPUR LEGISLATIVE ASSEMBLY

1. The Manipur Secondary Education (Fifth Amendment) Bill, 2004
2. The Manipur Appropriation (No.1) Bill, 2004
3. The Manipur Appropriation (No.2) Bill, 2004

MIZORAM LEGISLATIVE ASSEMBLY

1. The Appropriation (No.1) Bill, 2004
2. The Appropriation (No.2) Bill, 2004
3. The Appropriation (No.3) Bill, 2004

NAGALAND LEGISLATIVE ASSEMBLY

1. The Indian Stamp (Nagaland Third Amendment) Bill, 2004
2. The Nagaland Appropriation (No.1) Bill, 2004
3. The Nagaland Appropriation (No.2) Bill, 2004

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Appropriation (Vote on Account) Bill, 2004

PUNJAB LEGISLATIVE ASSEMBLY

1. The Registration (Punjab Amendment) Bill, 2004
2. The Punjabi University (Amendment) Bill, 2004
3. The Guru Nanak Dev University Amritsar (Amendment) Bill, 2004
4. The Punjab Dairy Development Board (Amendment) Bill, 2004
5. The Indian Forest (Punjab Amendment) Bill, 2004*
6. The Punjab Health Systems Corporation (Amendment) Bill, 2004
7. The Punjab One Time Voluntary Disclosure and Settlement of Violations of the Buildings constructed in Violation of the Building Bye-Laws in the Corporations and the Municipalities Bill, 2004
8. The Punjab Legislative Assembly (Salaries and Allowances of Members) Amendment Bill, 2004
9. The Punjab Excise (Amendment) Bill, 2004
10. The Punjab Entertainments Duty (Amendment) Bill, 2004
11. The Punjab General Sales Tax (Second Amendment) Bill, 2004
12. The Punjab General Sales Tax (Second Amendment) Bill, 2004
13. The Punjab Appropriation (No.1) Bill, 2004
14. The Punjab Appropriation (No.2) Bill, 2004
15. The Punjab Appropriation (Vote on Account) Bill, 2004
16. The Punjab State Commission for Scheduled Castes Bill, 2004

TRIPURA LEGISLATIVE ASSEMBLY

1. The Institute of Chartered Financial Analysts of India University (Tripura) Bill, 2004
2. The Tripura Appropriation (No.2) Bill, 2004
3. The Tripura Appropriation (Vote on Account) Bill, 2004

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Viniyog (2003-2004 ka Anupurak) Vidheyak, 2004
2. The Uttar Pradesh Rajya Mahila Aayog (Nirasan) Vidheyak, 2004
3. The Uttar Pradesh Chikitsa Vishvavidyalaya (Sanshodhan) Vidheyak, 2004
4. The Uttar Pradesh King George Dant Vigyan Vishvavidyalaya Vidheyak, 2004
5. The Uttar Pradesh Rajya Mahila Aayog Vidheyak, 2004
6. The Uttar Pradesh Viniyog Vidheyak, 2004
7. The Integral Vishvavidyalaya Vidheyak, 2004
8. The Uttar Pradesh Rajya Koshiya Uttardayitva aur Budget Prabandhan Vidheyak, 2004
9. The Uttar Pradesh Rajya Vidhan Mandal Sadasyon aur Adhikari tatha Mantri Sukh Suvidha Vidhi (Sanshodhan) Vidheyak, 2004
10. The Uttar Pradesh Nagar Palika (Sanshodhan) Vidheyak, 2004

PONDICHERRY LEGISLATIVE ASSEMBLY

1. The Appropriation Bill, 2004
2. The Appropriation (Vote on Account) Bill, 2004
3. The Salaries and Allowances of Ministers (Pondicherry) Amendment Bill, 2004
4. The Pondicherry General Sales Tax Amendment Bill, 2004

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* Bills awaiting assent

APPENDIX VI

ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD 1 JANUARY TO 31 MARCH 2004

Sl. No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
			UNION GOVERNMENT		
			-Nil-		
			BIHAR		
1.	The Bihar Karadhan Vidhi (Sanshodhan) Adhyadesh, 2004	—	—	—	—
2.	The Sachivalaya Evam Sanlagna Karyalayon Ke Sahayakon Ka Sayunkt Sanvarg (Sanshodhan) Adhyadesh, 2004	—	—	—	—
			GUJARAT		
1,	The Gujarat Special Economic Zone Ordinance, 2004	10.2.2004	19.2.2004	—	Replaced by Legislation
2.	The Industrial Disputes (Gujarat Amendment) Ordinance, 2004	10.2.2004	19.2.2004	—	Replaced by Legislation

		HARYANA			
1.	The Punjab Passengers and Goods Taxation (Haryana Amendment) Ordinance, 2003	20.11.2003	9.2.2004	9.2.2004	Replaced by Legislation
2.	The Haryana Public Service Commission (Additional Functions) Amendment Ordinance, 2003	17.12.2003	9.2.2004	9.2.2004	Replaced by Legislation
3.	The Punjab Ayurvedic and Unani Practioners (Haryana Amendment and Validation) Ordinance, 2004	20.1.2004	9.2.2004	9.2.2004	Replaced by Legislation
4.	The Haryana Development and Regulation of Urban Areas (Amendment) Ordinance, 2004	28.1.2004	9.2.2004	9.2.2004	Replaced by Legislation
		HIMACHAL PRADESH			
1.	The Himachal Pradesh General Sales Tax (Amendment) Ordinance, 2004	24.1.2004	24.2.2004	—	Replaced by Legislation
		JHARKHAND			
1.	The Jharkhand State Non-financial Educational Institution (Grant) Ordinance, 2004	9.1.2004	21.2.2004	12.3.2004	Replaced by Legislation
		KERALA			
1.	The Kerala Tolls (Amendment) Ordinance, 2003	24.12.2003	19.1.2004	–	Replaced by Legislation

2.	The Kerala Contingency Fund (Amendment) Ordinance, 2004	30.4.2004	28.6.2004	—	Replaced by Legislation
			MADHYA PRADESH		
1.	The Madhya Pradesh Gau Vansh Vadha Pratishedha Adhyadesh, 2004	22.1.2004	25.2.2004	—	Replaced by Legislation
			PUNJAB		
1.	The Punjab One Time Voluntary Disclosure and Settlement of Violations of the Buildings constructed in Violation of the Building Bye-Laws in the Corporations and the Municipalities Ordinance, 2004	20.1.2004	16.3.2004	—	Replaced by Legislation
2.	The Punjab Entertainments Duty (Amendment) Ordinance, 2004	30.1.2004	16.3.2004	—	Replaced by Legislation
3.	The Punjab State Commission for Scheduled Castes Ordinance, 2004	10.2.2004	16.3.2004	—	Replaced by Legislation
4.	The Punjab General Sales Tax (Amendment) Ordinance, 2004	11.2.2004	16.3.2004	—	Replaced by Legislation
5.	The Punjab General Sales Tax (Second Amendment) Ordinance, 2004	11.2.2004	16.3.2004	—	Replaced by Legislation

6.	The Punjab General Sales Tax (Third Amendment) Ordinance, 2004	17.2.2004	16.3.2004	—	Replaced by Legislation
7.	The Punjab General Sales Tax (Fourth Amendment) Ordinance, 2004	23.2.2004	16.3.2004	—	Replaced by Legislation
8.	The Punjabi University (Amendment) Ordinance, 2004	26.2.2004	16.3.2004	—	Replaced by Legislation
9.	The Guru Nanak Dev University, Amritsar (Amendment) Ordinance, 2004	26.2.2004	16.3.2004	—	Replaced by Legislation
		UTTAR PRADESH			
1.	The King George Medical University (Amendment) Ordinance, 2004	20.1.2004	—	—	—
2.	The Uttar Pradesh State Commission for Women (Repeal) Ordinance, 2004	20.1.2004	—	—	—

APPENDIX VII

A. PARTY POSITION IN LOK SABHA (AS ON 26 JUNE 2004)

States	Seats	INC	BJP	CPI (M)	SJP	RJD	BSP	DMK	SS	BJD	CPI	NCP	JD (U)	SAD	PMK	JMM	TRS	TD	MD MK	LJ SP	AIFB
Andhra Pradesh	42	29	—	1	—	—	—	—	—	—	1	—	—	—	—	—	5	5	—	—	—
Arunachal Pradesh	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assam	14	9	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar	40	3	5	—	—	21	—	—	—	—	—	—	6	—	—	—	—	—	—	4	—
Chhattisgarh	11	1	10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Goa	2	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat	26	12	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana	10	9	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh	4	3	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir	6	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand	14	6	1	—	—	2	—	—	—	—	1	—	—	—	—	4	—	—	—	—	—
Karnataka	28	8	18	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala	20	—	—	12	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	—
Madhya Pradesh	29	4	25	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Maharashtra	48	13	13	—	—	—	—	—	12	—	—	9	—	—	—	—	—	—	—	—	—
Manipur	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa	21	2	7	—	—	—	—	—	—	11	—	—	—	—	—	1	—	—	—	—	—
Punjab	13	2	3	—	—	—	—	—	—	—	—	—	—	8	—	—	—	—	—	—	—
Rajasthan	25	4	21	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu	39	10	—	2	—	—	—	16	—	—	2	—	—	—	5	—	—	—	4	—	—
Tripura	2	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttaranchal	5	1	3	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh	80	9	10	—	34	—	18	—	—	—	—	—	1	—	—	—	—	—	—	—	—
West Bengal	42	6	—	26	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—	3
UNION TERRITORIES																					
A & N Islands	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
The NCT of Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakshadweep	1	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—
Pondicherry	1	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—
Total	543	145	138	43	35	23	18	16	12	11	10	9	8	8	6	5	5	5	4	4	3

APPENDIX VII (CONTD.)

A. PARTY POSITION IN LOK SABHA (AS ON 26 JUNE 2004)

States	JD(S)	RLD	RSP	AITC	AGP	J&K NC	AIM EIM	BNP	IF DP	J&K PDP	KC	MNF	ML KSC	NPF	NLP	RPI (A)	SJP (R)	SDF	IND	TOTAL	VACANCIES
Andhra Pradesh	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	42	—
Arunachal Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Assam	—	—	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	1	14	—
Bihar	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	39	1
Chhattisgarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	11	—
Goa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Gujarat	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	26	—
Haryana	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	10	—
Himachal Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	4	—
Jammu & Kashmir	—	—	—	—	—	2	—	—	—	1	—	—	—	—	—	—	—	—	1	6	—
Jharkhand	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	14	—
Karnataka	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	28	—
Kerala	1	—	—	—	—	—	—	—	1	—	1	—	1	—	—	—	—	—	1	20	—
Madhya Pradesh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	29	—
Maharashtra	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	48	—
Manipur	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	2	—
Meghalaya	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Mizoram	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	1	—
Nagaland	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	—	—	—	—	1	—
Orissa	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	21	—
Punjab	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	13	—
Rajasthan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	25	—
Sikkim	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—
Tamil Nadu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	39	—
Tripura	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	—
Uttaranchal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5	—
Uttar Pradesh	—	3	—	—	—	—	—	—	—	—	—	—	—	—	1	—	1	—	1	78	2
West Bengal	—	—	3	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	42	—
UNION TERRITORIES																					
A & N Islands	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Chandigarh	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Dadra & Nagar Haveli	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	1	—
Daman and Diu	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
The NCT of Delhi	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	7	—
Lakshadweep	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Pondicherry	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	—
Total	3	3	3	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	5	540	3

Abbreviations used in respect of parties represented in the Lok Sabha:

AGP–Asom Gana Parishad; AIFB–All India Forward Bloc; AIMEIM–All India Majlis–e–Ittehadul Muslimeen; AITC–All India Trinamool Congress; BJD–Biju Janata Dal; BJP–Bharatiya Janata Party; BNP–Bhartiya Navshakti Party; BSP–Bahujan Samaj Party; CPI(M) Communist Party of India (Marxist); CPI–Communist Party of India; DMK–Dravida Munnetra Kazhagam; IFDP–Indian Federal Democratic Party; INC–Indian National Congress; IND–Independents; J&KPDP–Jammu and Kashmir Peoples Democratic Party; J&KNC–Jammu and Kashmir National Conference; JD(S)–Janata Dal (Secular); JD(U)–Janata Dal (United); JMM–Jharkhand Mukti Morcha; KC–Kerala Congress; LJSP–Lok Jan Shakti Party; MDMK–Marumalarchi Dravida Munnetra Kazhagam; MLKSC–Muslim League Kerala State Committee; MNF–Mizo National Front; NCP–Nationalist Congress Party; NLP–National Loktantrik Party; NPF–Nagaland Peoples Front; PMK–Pattali Makkal Katchi; RJD–Rashtriya Janata Dal; RLD–Rashtriya Lok Dal; RPI(A)–Republican Party of India (A); RSP–Revolutionary Socialist Party; SAD–Shiromani Akali Dal; SDF–Sikkim Democratic Front; SJP(R)–Samajwadi Janata Party (Rashtriya); SJP–Samajwadi Party; SS–Shiv Sena; TD–Telugu Desam; TRS–Telangana Rashtra Samithi.

B. PARTY POSITION IN RAJYA SABHA (AS ON 10 MAY 2004)

Sl. No.	State/Union Territories	Seats	INC	BJP	TDP	CPI (M)	AIA-DMK	DMK	SJP	RJD	Shiv Sena	BSP	*Others	IND	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
STATES																
1.	Andhra Pradesh	18	3	—	8	—	—	—	—	—	—	—	—	—	11	7
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
3.	Assam	7	5	1	—	—	—	—	—	—	—	—	—	1	7	—
4.	Bihar	16	2	2	—	—	—	—	—	8	—	—	3[a]	1	16	—
5.	Chhattisgarh	5	4	1	—	—	—	—	—	—	—	—	—	—	5	—
6.	Goa	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
7.	Gujarat	11	3	8	—	—	—	—	—	—	—	—	—	—	11	—
8.	Haryana	5	—	—	—	—	—	—	—	—	—	—	5[b]	—	5	—
9.	Himachal Pradesh	3	1	2	—	—	—	—	—	—	—	—	—	—	3	—
10.	Jammu & Kashmir	4	2	—	—	—	—	—	—	—	—	—	2[c]	—	4	—
11.	Jharkhand	6	1	5	—	—	—	—	—	—	—	—	—	—	6	—
12.	Karnataka	12	6	1	—	—	—	—	—	—	—	—	—	1	8	4
13.	Kerala	9	3	—	—	2	—	—	—	—	—	—	4[d]	—	9	—
14.	Madhya Pradesh	11	7	4	—	—	—	—	—	—	—	—	—	—	11	—
15.	Maharashtra	19	5	3	—	—	—	—	—	—	5	—	3[e]	3	19	—
16.	Manipur	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
17.	Meghalaya	1	—	—	—	—	—	—	—	—	—	—	1[f]	—	1	—
18.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	1[g]	—	1	—
19.	Nagaland	1	—	—	—	—	—	—	—	—	—	—	1[h]	—	1	—
20.	Orissa	10	3	2	—	—	—	—	—	—	—	—	4[i]	1	10	—
21.	Punjab	7	3	1	—	—	—	—	—	—	—	—	2[j]	—	6	1
22.	Rajasthan	10	6	2	—	—	—	—	—	—	—	—	—	—	8	2
23.	Sikkim	1	—	—	—	—	—	—	—	—	—	—	1[k]	—	1	—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
24.	Tamil Nadu	18	2	—	—	—	9	7	—	—	—	—	—	—	18	—
25.	Tripura	1	—	—	—	1	—	—	—	—	—	—	—	—	1	—
26.	Uttaranchal	3	1	2	—	—	—	—	—	—	—	—	—	—	3	—
27.	Uttar Pradesh	31	2	9	—	—	—	—	9	—	—	5	1[f]	4	30	1
28.	West Bengal	16	1	—	—	9	—	—	—	—	—	—	4[m]	2	16	—
UNION TERRITORIES																
29.	The NCT of Delhi	3	3	—	—	—	—	—	—	—	—	—	—	—	3	—
30.	Pondicherry	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
31.	Nominated	12	—	3	—	—	—	—	—	—	—	—	8[n]	—	11	1
	TOTAL	245	67	46	8	12	9	7	9	8	5	5	40	13	229	16

OTHERS

(Break-up of Parties/Groups)

(a) Samata Party-2; and Communist Party of India-1

(b) Indian National Lok Dal-4; and Haryana Vikas Party-1

(c) Jammu and Kashmir National Conference-1; and Peoples' Democratic Party-1

(d) Muslim League-1; Revolutionary Socialist Party-1; and Communist Party of India-1

(e) Nationalist Congress Party-2; and Republican Party of India-1

(f) Nationalist Congress Party-1

(g) Mizo National Front-1

(h) Nagaland Peoples Front-1

(i) Biju Janata Dal-4

(j) Shiromani Akali Dal-4

(k) Sikkim Democratic Front-1

(l) Akhil Bharatiya Loktantrik Congress-1

(m) Revolutionary Socialist Party-2; Forward Bloc-1; and All India Trinamool Congress-1

(n) Nominated-8

C. PARTY POSITION IN STATE LEGISLATURES

State/Union territories	Seats	Cong.(I)	Janata Dal	BJP	CPI(M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A.	—	—	—	—	—	—	—	—	—	—
Assam L.A. (31.3.2004)	125	70	—	8	—	—	29[a]	18	125	—
Bihar L.A.*	—	—	—	—	—	—	—	—	—	—
Bihar L.C.**	—	—	—	—	—	—	—	—	—	—
Chhattisgarh (1.4.2004)	90	36	—	49	—	—	3[b]	—	88	2
Delhi L.A. (1.4.2004)	70	47	—	19	—	—	2[c]	1	69	1
Goa L.A. (28.6.2004)	40	16	—	19	—	—	4[d]	1	40	—
Gujarat L.A. (1.4.2004)	182	50	—	128	—	—	2[e]	2	182	—
Haryana L.A. (1.4.2004)	90	20	—	6	—	—	52[f]	11	89•	—
Himachal Pradesh L.A. (1.4.2004)	68	43	—	16	—	—	3[g]	6	68	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A.	82	8	—	31	1	1	30[h]	2	73	9
Karnataka L.A. (15.3.2004)	225	135	—	35	—	—	33[i]	18	221•	3

Karnataka L.C. (14.2.2004)	75	45	—	10	—	—	16[g]	3	74	1
Kerala L.A. (1.4.2004)	141	61	—	—	24	7	45[h]	3	140*	—
Madhya Pradesh L.A. (1.4.2004)	230	38	—	172	—	—	17[i]	2	229*	—
Maharashtra L.A.**	—	—	—	—	—	—	—	—	—	—
Maharashtra L.C.**	—	—	—	—	—	—	—	—	—	—
Manipur L.A. (1.4.2004)	60	33	—	4	—	5	18[m]	—	60	—
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.*	—	—	—	—	—	—	—	—	—	—
Nagaland L.A.*	—	—	—	—	—	—	—	—	—	—
Orissa L.A.*	—	—	—	—	—	—	—	—	—	—
Punjab L.A. (1.4.2004)	117	64	—	3	—	—	41[n]	9	117	—
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.**	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.*	—	—	—	—	—	—	—	—	—	—
Tripura L.A. (1.4.2004)	60	13	—	—	38	1	8[o]	—	60	—
Uttaranchal L.A.**	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C. (1.4.2004)	100	3	—	27	—	—	62[p]	6	98	2
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY										
Pondicherry L.A. (31.3.2004)	30	16	—	1	—	—	10[q]	2	29*	—

* Information received from the State/Union territory Legislatures contained NIL report

** Information not received from the State/Union territory Legislatures

@ Excluding Speaker/Chairman

(a) Asom Gana Parishad-21; Nationalist Congress Party-3; Autonomous State Demand Committee (United)-2; Samata Party-1; Samajwadi Party-1; and All India Trinamool Congress-1

(b) Bahujan Samaj Party-2; and Nationalist Congress Party-1

(c) Janata Dal (S)-1; and Nationalist Congress Party-1

(d) United Goans Democratic Party-1; United Goans Democratic Party (Secular)-1; Maharashtrawadi Gomantak Party-1; and Nationalist Congress Party-1

(e) Janata Dal (United)-2

(f) Indian National Lok Dal-47; Haryana Vikas Party-2; Bahujan Samaj Party-1; Nationalist Congress Party-1; Republican Party of India-1

(g) Himachal Vikas Congress-1; Himachal Loktantrik Party-1; and Lok Jan Shakti Party-1

(h) Jharkhand Mukti Morcha-10; Rashtriya Janata Dal-8; Janata Dal (United)-8; UGDP-2; Marxwadi Samanvya Samiti-1; and Nominated-1

(i) Unattached members-8; Akhil Bharat Pragatipara Janata Dal (ABPJD)-18; Janata Dal (U)-1; Janata Dal (S)-4; AIADMK-1; and Nominated-1

(j) All India Progressive Janata Dal-9; and Janata Dal (S)-7

(k) Muslim League-16; Kerala Congress (M)-9; Janathipathya Samrakshana Samithi-4; Janata Dal (Secular)-3; Kerala Congress-2; Kerala Congress(B)-2; Kerala Congress (Jacob)-2; Revolutionary Socialist Party-2; Revolutionary Socialist Party (Bolshevik)-2; Communist Marxist Party Kerala-1; Nationalist Congress Party-1; and Congress (Secular)-1

(l) Samajwadi Party-7; Bahujan Samaj Party-2; Gondwana Gantantra Party-3; Rashtriya Samata Dal-2; Janata Dal (U)-1; Nationalist Congress Party-1; and Marxist Communist Party-1

(m) Federal Party of Manipur-13; Manipur Peoples' Party-2; Manipur State Congress Party-2; Manipur National Congress-1

(n) Shiromani Akali Dal-41

(o) Revolutionary Socialist Party-2; and Indigenous Nationalist Party of Twipra-6

(p) Samajwadi Party-37; Bahujan Samaj Party-11; Rashtriya Lok Dal-4; Samajwadi Janata Party (Rashtriya)-1; and Shikshak Dal-9

(q) All India Anna Dravida Munnetra Kazhagam-2; Tamil Manila Congress-1; and Dravida Munnetra Kazhagam-7